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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. McNULTY).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

June 10, 2008.

I hereby appoint the Honorable MICHAEL R. McNULTY to act as Speaker pro tempore on this day.

NANCY PELOSI,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

GAS PRICE RELIEF FOR CONSUMERS ACT OF 2008

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. KAGEN) for 5 minutes.

Mr. KAGEN. Mr. Speaker, last month, I had the opportunity and the pleasure to work with the bipartisan majority of 221 Democrats and 103 Republicans, including the entire Wisconsin delegation, to pass the Gas Price Relief for Consumers Act of 2008. This will in time decrease gas prices for everyone and will make certain that no one is able to manipulate oil prices and to control the free markets.

One year ago, crude oil was selling for \$65 a barrel, and all of us were paying around \$3 per gallon at the pump. We thought things were bad then. The cost per barrel for crude oil has more than doubled since last year while, this week, we are forced to pay in northeast Wisconsin over \$4 per gallon. Yet this is taking place during a recession when demand for oil is down. This is not the way of the free marketplace.

Like you, I was more than a little surprised to learn that, during this past January of 2008, we had so much oil right here in the United States that American oil companies were exporting 335,000 barrels of diesel per day to Europe and to Mexico. Enough is enough.

The Gas Price Relief for Consumers Act that we passed would allow us to attack gas price manipulation, something we do not currently have the authority to do. It would authorize as well an antitrust task force within the Department of Justice to begin to root out any anticompetitive activities and price manipulation in the speculative and volatile futures markets. For the first time, it would instruct the Federal Government to evaluate the damaging effects of past oil company mergers and acquisitions and these effects that they have had on our families and on small businesses alike.

This is the first step in beginning to reestablish a free and open marketplace in the world's oil delivery, something that Teddy Roosevelt attempted in the early 1900s.

My friends, we are today no further advanced in establishing a free and open marketplace than we were in 1910, but all of us who live in Wisconsin are struggling to fill our tanks today, and we need relief as fast as possible, and that's why I and an overwhelming number of my colleagues from both sides of the aisle passed this act to begin to cut gas prices immediately, realizing it will require some time to reverse the failed energy policies of the

recent past. If studies show we don't have enough oil refineries, then let's ask the question: Is it time that we build refineries on each side of the Rocky Mountains?

Skyrocketing gasoline prices are crippling family budgets and profits for small businesses everywhere in the country. Our long-term energy solutions, however, must include creating a new national energy policy, implementing provisions like those I fought to include in the new farm bill that will promote alternative sources of energy, leaving behind, once and for all, all of the losing ideas that we have had, namely, the drill-and-burn and drill-and-burn philosophy and policy of the Bush and Cheney administration. We cannot drill and burn our way out of this energy crisis.

Although there are many causes for today's record-high gas prices, we should not be afraid to take on specific steps today to ensure that prices for middle class families and small businesses come down. That is why we have given the Department of Justice these new tools to, in effect, put a cop back on the beat, making certain that those who are profiting from our pain at the pump will be held accountable.

With regard to the facts of the situation, let's look at some of the facts here, at the United States' oil facts. We, the people, have leased 42 million acres to oil companies, and of the 42 million acres, they are using 12 million. What else is going on?

Since the year 1980, we have lost over 200 refineries, decreasing our capability to produce more oil and diesel when we require it. What else is going on?

The outer banks. Everyone is talking about leasing the outer banks, the Outer Continental Shelf. Well, 82 percent of that property has already been leased, and they're not drilling. Some people have asked: Why aren't we drilling in ANWR? By drilling in ANWR, what are we going to get?

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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This is an old idea. If we took all of the oil out of ANWR, it would drop, economists say, the cost at the pump by one to two pennies per gallon, and that would take place 10 or 20 years from now. Furthermore, there is no guarantee whatsoever that the companies bringing the oil out of ANWR would deliver it to the United States citizens. It may go to Japan or to Europe or to the highest bidder. So ANWR and drilling, burning and burning is not the solution.

What is going on in our marketplace? Recent investigations and testimony here in the House and in the Senate have shown that there is a concentration where pension funds are now beginning to invest more and more since the year 2000 into our commodities futures market. So it is now time to ask the question: Isn't it appropriate that we ask you, if you're buying oil, to take possession of what you buy?

FRANKLIN L. "JAKE" FLAKE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. FLAKE) for 2 minutes.

Mr. FLAKE. Mr. Speaker, flags at the State Capitol in Arizona are flying at half-staff this week to honor the life of Jake Flake.

Jake leaves behind a legacy of service from school boards to irrigation districts to hospital governing boards to the Boy Scouts of America to the Farm Credit Association to countless other organizations. You name it; Jake Flake ran it; raised money for it; rescued it or improved it.

But it was in Arizona's State legislature that he became best known and loved across the State, particularly during his term as Speaker of the House. One of Arizona's last genuine cowboy legislators, his perspective, his insight and his counsel is simply irreplaceable.

To his wife, Mary Louise, Jake was a loving husband. To his 13 children, he was a devoted father. To his 55 grandchildren, he was an adoring grandfather. To his church, he was a faithful servant. To his community, he was a loyal advocate. To his beloved State of Arizona, he was a statesman.

To this lowly Congressman, he was a caring uncle and mentor, and I will miss him dearly.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 10 minutes a.m.), the House stood in recess until 10 a.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. LORETTA SANCHEZ of California) at 10 a.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, Your provident love is revealed today as it was revealed in the scriptures and in the early days of this Nation's history. Lord, after Your servant Moses had died, You spoke again to Your people and Joshua, the son of Nun. You said, "Prepare now to cross the Jordan with all the people. Enter the land I stretch out before you. No one can stand against you as long as you live in My presence. I will be with you as I was with Moses. I will not leave you nor will I forsake you."

In this millennium, we as a Nation need to cross over some turbulent waters and enter into a new terrain. Lord, we must face a new environment with a need for resourceful energy as we seek economic security and global peace.

Give us Your confidence as we once again hear Your words of promise: Be firm and steadfast so that you may lead this people to the secure and prosperous land which I promised to your ancestors. I will be with you as I was with Moses. I will not leave you nor will I forsake you, now or forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. HALL) come forward and lead the House in the Pledge of Allegiance.

Mr. HALL of New York led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

DOMESTIC OIL DRILLING

(Mr. HALL of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL of New York. Madam Speaker, over the weekend, gas reached the \$4 national average for the first time in our Nation's history. The majority in Congress has worked to combat these prices by advancing new energy solutions and efforts to protect consumers. The standard refrain from the oil companies and their allies is, "We need to drill for more oil here at home." I would ask them, "Who is stopping you?"

The oil company myth is that we need to open up the Arctic refuge and give the oil company a free hand to go wherever and whenever they want to

chase oil. The reality, however, is that about 75 percent of the oil in the United States is on land that is already open for production, but less than one-third of that land is actually being used by the oil companies.

They are literally sitting on 10,000 permits and millions of acres of leased land that would let them start pulling more oil out of the ground here at home. So I say to the oil company advocates, start drilling for more domestic supply. Start drilling on the lands that are already open, and stop posturing while American drivers are in pain at the pump.

REDUCE THE PRICE AT THE PUMP

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Madam Speaker, you know that the price at the pump is what everyone is talking about. And in my district in Tennessee, moms are now spending over \$100 more to fill up the tanks than they were when the Democrats took the gavel in both the House and the Senate. It costs over \$100 a month more to fill up the tank of an average minivan. We have seen the price of a gallon of gas go from \$2.26 to \$4 a gallon.

Madam Speaker, there is a reason for this. And we on the Republican side have solutions for this problem. It is time to waive the gas tax. It is time to waive the ethanol mandates. It is time to waive the requirements for boutique fuels. And it is time for Americans to explore for American energy on American soil.

There is a way to address this. There are bills that are filed. There is action that can be taken. I encourage my Democrat colleagues, encourage your leadership to rise to the challenge, reduce the price at the pump.

BIG OIL NEEDS TO DRILL WHERE THEY HOLD LEASES

(Mr. SIRES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SIRES. Madam Speaker, President Bush and congressional Republicans continue to blame today's record gas prices on our refusal to open more land up for drilling. They claim that if we allowed big oil to drill more, gas prices would fall. What Republicans neglect to say is that the number of drilling permits increased dramatically over the last 5 years from 3,800 permits in 2002 to 7,500 last year.

That's right. Big oil is actually getting access to more land to drill, but is doing nothing to bring down the price of gas. Big oil has access to millions of acres of Federal land. But for some reason, they have yet to do any drilling. According to a new Natural Resources Committee report, oil and gas companies hold leases to nearly 68 million

acres of Federal land that they are not currently drilling. If big oil really wants to drill more, why aren't they drilling?

Madam Speaker, Washington Republicans are wrong again to rely on big oil to bring down the prices at the pump. After all, while American consumers battle these record prices, big oil is laughing all the way to the bank.

THE CURE FOR PUMP PANIC

(Mr. POE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE. Madam Speaker, with all the gloom, doom and despair about the high gasoline prices, there is a remedy to this pessimistic pump panic. Before we start passing out bicycles to the multitudes or start going to Dr. Phil for therapy, we can and should obtain more crude oil here in America. Crude oil will still be the driving energy of this Nation for the foreseeable future until we find some alternative. And we don't need to line the pockets of OPEC and Third World dictators by begging them for more crude. We already give them \$425 million a day!

The U.S. Geological Survey has released a report that says the "sweet crude" oil find in the Williston-Bakken Basin is larger than first believed. It is enormous. According to the report, it is over 500 billion barrels, and it is located in the Dakotas. It is 15 times larger than the oil in the Alaskan North Slope.

America needs to take care of America. We need to remove the silly restrictions that prohibit drilling. We need to drill in the Badlands of the Dakotas; remove the offshore drilling ban; drill in Alaska; and we can cure this pump panic disease.

And that's just the way it is.

EXPRESSING SYMPATHY FOR THE FLOOD AND TORNADO VICTIMS IN IOWA

(Mr. LOEBSACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOEBSACK. Madam Speaker, I rise today to express my sincere sympathy for residents in my district and around Iowa who are currently experiencing severe flooding at record setting levels.

Just this weekend I went to two neighborhoods to help sandbag and protect homes. I spoke with a man who pointed to his home and said, "This is the only thing I have." It was a very emotional setting. I was touched by the intensity and good spirits of many of the residents and volunteers despite the circumstances, and I commend them for their perseverance.

The Governor of Iowa has already issued emergency proclamations for many of Iowa's counties, and four counties have been declared Presi-

dential disaster areas. I understand that the National Guard has been activated to assist in the flood control efforts. I am grateful for their assistance. I continue to stand ready to help my fellow Iowans in any way possible.

SOLUTIONS EXIST FOR HIGH GAS PRICES

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Madam Speaker, I feel sympathy for the folks paying these high gas prices. Here is a problem: On average, \$3.98, take in climate change 50 cents and we'll be paying \$4.48 a gallon.

Here is the solution: Outer Continental Shelf, which is off-limits by appropriation bills; moving coal-to-liquid technology, which has been blocked here on motions to recommit; expanding renewable fuels, which has been helpful, but still is not the panacea.

The New York Times, which is not one of our best supporters, says the counties were motorists spend the highest percentage of their income on gasoline tend to be poor, rural areas, which is what I represent. That is why I am on the floor monthly now talking about gas reaching \$4 a gallon, refinery expansion delayed because of environmental attacks, the clean gas, \$4 increase in price of natural gas bills.

Our consuming public cannot stand these high prices any more. Our manufacturing base cannot. We have to bring on more supply.

THE PAYCHECK FAIRNESS ACT

(Ms. SPEIER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SPEIER. Madam Speaker, 45 years ago today, President Kennedy signed a law to end what he called the "unconscionable practice of paying female workers less wages than male workers for the same job."

When President Kennedy signed the law, women earned 60 cents for every dollar earned by a man. In 2006, the woman's share is 77 cents. While we have made some progress in 45 years, it is scant at best. Since 1963 the ratio has narrowed by less than one-half cent per year. At this rate, my 13-year-old daughter will be close to retirement by the time President Kennedy's order is realized.

That is why I am cosponsoring H.R. 1338, the Paycheck Fairness Act, which adds teeth to previous laws.

Equal pay for equal work is as American as a principle can be. This is not about men versus women, but basic fairness. And its ramifications affect everyone. Paying women less hurts men who aren't hired because hiring a woman is cheaper. It hurts families by devaluing the work of women and mothers who are already paying out of

pocket for child care so they can pursue a career. In short, it hurts all of America, and it must end right here, right now.

YOU CAN'T GET OIL FROM A DRY HOLE

(Mr. WESTMORELAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTMORELAND. Madam Speaker, more smoke and mirrors that we are hearing this morning from the majority party about, oh, there is plenty of land to drill in, the big oil companies just aren't drilling. Let me just straighten that out just a little bit. Ninety-seven percent of the Federal offshore drilling sites are off-limits. Ninety-four percent of the federally owned onshore areas are off-limits. Fifty-two percent of the area that oil companies drilled in between 2002 and 2007 were dry holes. We need to allow these oil companies to drill in areas where there actually is oil.

I don't know the economics that the majority party has, but if there is no oil, why would you drill there? That does not make sense. If the government would sell companies leases that have oil in them instead of selling them places that turn out to be dry holes, then we would have more oil produced in this country. We imported over 600 million gallons of gasoline last year. We need to add to our refinery capabilities, also.

□ 1015

ANOTHER MONTH OF JOB LOSSES: CONGRESS SHOULD EXTEND UNEMPLOYMENT INSURANCE

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, every month this year our economy has shed more jobs than it has produced. Last month was no exception; 49,000 jobs were lost nationwide and unemployment rose from 5 percent in April to 5.5 percent in May. That is the largest 1 month increase in 20 years.

As job losses continue on a monthly basis, it is becoming increasingly difficult for the unemployed to find jobs, and it is expected to get even worse. That is why last month this Congress passed legislation to extend unemployment benefits for an additional 13 weeks.

Today, more than 1 million people have exhausted all of their benefits. Washington should provide these workers some additional relief as they continue to pursue a job through these rough times. Yet President Bush and congressional Republicans oppose the unemployment insurance extension, even though they supported a similar extension in 2002 when economic conditions were not nearly as hard as they are today.

Madam Speaker, the May jobs report should serve as a wake-up call to President Bush and congressional Republicans to support our efforts to extend unemployment insurance.

URGING THE PRESIDENT TO DECLARE AN EXPEDITED MAJOR DISASTER AREA IN THE STATE OF INDIANA

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, across Indiana, Hoosiers are picking up the pieces from a week of extraordinary weather. My own hometown of Columbus is in the midst of a cleanup of the worst flooding since the Great Flood of 1913, and I come to the floor today to urge the President of the United States to take immediate action and declare an expedited major disaster area in the State of Indiana as a result of these severe storms, tornadoes and torrential downpour.

Following the harsh impact of tornadoes 1 week ago today, on Saturday parts of my district experienced approximately 10 inches of rain in a matter of hours. This is more rainfall than Hoosiers typically see in 2 months during this time of year, and the results have been catastrophic.

I commend the President for his action on Sunday evening speeding relief to community governments, but this government must act and act now to bring relief to Hoosier families, small businesses and family farms. We need additional declarations like those requested by Governor Mitch Daniels of the President, support from FEMA and the Department of Agriculture, and we need it now.

Hoosier families and communities are hurting, and they deserve to know that help is on the way. I urge this administration and all of my colleagues to focus their attention on this urgent Midwestern need for emergency relief.

CONGRATULATING SHAWN JOHNSON: 2007 WORLD GYMNASTIC CHAMPION; 2008 NATIONAL CHAMPION

(Mr. BOSWELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOSWELL. Madam Speaker, last November I stood here to congratulate a native of Iowa, a young woman from our district who has demonstrated amazing discipline and spirit of American ambition. In September of 2007, Shawn Johnson won the 2007 World Artistic Gymnastic Championship. She is one of four American women to hold this esteemed title.

Today, I congratulate Shawn on her most recent win. On Saturday, June 7, Shawn successfully defended her title as the National Champion in women's gymnastics. Next weekend she will

compete in Philadelphia for a spot on the elite six-member U.S. Women's Olympic Gymnastic Team.

Shawn not only exudes the hard work necessary to achieve her dreams, but also the character of a natural role model. Even with all her gold medals and new-found fame, Shawn continues to compete with humble pride and gratitude.

I thank Shawn for all of the wonderful things she has done around the State of Iowa and the Nation. Since winning the world championship, she has used her fame to bring awareness to breast cancer and other cancers that affect women.

Once again, Shawn, congratulations on winning the National Championship again, and good luck in Philadelphia.

REPUBLICANS ARE READY TO ACT ON ENERGY NEEDS

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Madam Speaker, my constituents and Americans are asking, where is the bill? When will House Democrats bring forward a real plan for families being hammered by record gas prices?

Today, the majority will spend hours considering no less than 10 nonbinding resolutions. Yet this Democrat Congress will do nothing, nothing, about outrageous energy prices. We fill the day with recognitions and commemorations, but there is no urgency for struggling Americans.

It is shameful that with energy prices rising 70 percent on their watch, House Democrats remain stubbornly opposed to offering any ideas to increase supply and lower gas prices. All we see from this majority is brazen neglect.

Republicans, on the other hand, have brought forward an energy action plan. We are ready to act. We are ready to increase American-made energy resources. We are ready to provide a broad mix of energy options. We are ready to streamline regulations allowing for increasing refining capacity. We are ready to help.

Madam Speaker, we are ready. Americans are begging to know, when will this Democrat majority be?

THE TROUBLED STATE OF OUR WORLD'S OCEANS

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Madam Speaker, I rise today to speak about the troubled state of our world's oceans. Last month, I attended an ocean science summit in Monterey, California. Also there were State and Federal policymakers and scientists concerned about our oceans and the lack of attention our Federal Government has given them.

This year's summit marked the 10-year anniversary of the Year of the Ocean and the oceans conference in Monterey attended by President Clinton and Vice President Gore. In the intervening 10 years, the Federal Government has done little to address the oceans' growing problems, ranging from overfishing to pollution to coastal development and global warming. California and Massachusetts have had to step into the breach, but problems as big as our oceans can't be addressed by a few States.

Fortunately, there is a solution. Oceans 21, introduced by Representative FARR and moving through the Natural Resources Committee now, establishes a national oceans policy and a framework for national and regional management of our shared ocean resources.

I strongly urge my colleagues to sponsor Oceans 21. Join us, and help provide stewardship for this vast resource and protect it for future generations.

REMEMBERING THE HEROES OF WORLD WAR II

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, 64 years ago this week, my father and approximately 2 million of his fellow soldiers from the United States, Great Britain, and Canada were moving into the area of France, which began the liberation of Europe. Sixty-four years ago they sacrificed in ways almost unimaginable for us. Had they not done that, had they not succeeded, we would not enjoy the freedoms we have today.

Yet it was little remarked nor remembered on the pages of our newspapers across our country and on our television sets. And the fact of the matter is these brave, gentle warriors are dying at over 1,000 a day. We soon will not have the opportunity to thank them for the sacrifices they made.

So today as we deal with these problems that face us, let us remember that America has always been a can-do country. We have never shirked from challenges. We have figured out how to do it. And remember in the words of those people in that movie not too long ago, to ask ourselves what our fathers asked themselves; are we worthy? Did we lead a good life? Did we do what we had to do?

DEMOCRATS ARE FIGHTING TO IMPROVE THE LIVES OF VETERANS

(Mr. BRALEY of Iowa asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRALEY of Iowa. Madam Speaker, while the Iraq war has stretched our military thin and our troops continue to struggle with multiple deployments,

House Democrats are fighting to improve the lives of soldiers when they return home.

Last month we passed a new and improved GI Bill that restores the promise of a full 4-year college scholarship. The original GI Bill sparked economic growth and expansion in America after World War II. This new bill will be an integral part of rebuilding our failing economy. It will also make military service more attractive and improve the quality of recruits as we work to strengthen our military. The new GI Bill goes further than current law, which only covers a small portion of public and private college education.

Madam Speaker, the education of our Nation's veterans should be considered a cost of the war which they rightfully have earned after completing their military service.

Madam Speaker, the U.S. has never gone wrong when it properly invests in education and rewards our veterans. I would only hope that President Bush would reconsider his opposition to the new GI Bill. It is the right thing to do for both our military and our economy.

DEMOCRATIC MAJORITY NEEDS NEW ENERGY POLICY NOW

(Mr. DAVID DAVIS of Tennessee asked and was given permission to address the House for 1 minute.)

Mr. DAVID DAVIS of Tennessee. Madam Speaker, with high gas prices soaring, moms and dads across East Tennessee and across America are struggling to put a budget together at the kitchen table. They are worried how they are going to pay for their health care, how they are going to buy enough gas to get their kids to school, how they are going to pay for their children's education.

Families and small businesses across America are hurting. Earl Humphreys, for example, in Bristol, Tennessee, owns Lawn Boyz Lawn Care Service. He has told me he may have to go out of business.

It is time for solutions, time for no more excuses. High gas prices are not only an economic security issue, they are a national security issue. We are too dependent on foreign countries, countries that hate us and hate our freedoms and, quite frankly, hate our religion.

We need an energy policy now. I call on the Democrat majority to offer legislation that will provide for lower gas prices, better economic security, better national security, and I ask them to do it now. We need to use American energy. We need solutions.

REPUBLICAN LEADERS OPPOSE EFFORTS TO LOWER RECORD HIGH GAS PRICES AT THE PUMP

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Madam Speaker, for 7 years now, Washington Republicans

have allowed Big Oil to run our Nation's energy policy. From the very first days of this administration, Vice President CHENEY was meeting in secret with energy executives to develop its energy proposal. Today we see the results of that secret policy that was approved by a rubber-stamp Republican Congress. When President Bush took office, the average price of gas was \$1.47. Today, it has more than doubled to an average hovering around \$4.

Since taking control of Congress last year, Democrats have rejected the failed Republican policies that are responsible for these record high prices. We are working to lower prices by cracking down on price gouging, holding OPEC accountable for price fixing, repealing subsidies for profit-rich oil companies, and instead investing in renewable energy.

Each of these efforts have received some partisan support, but the Republican leadership of this House and the President continue to oppose our efforts.

RESPONSIBLE ENERGY POLICY NEEDED

(Mr. BROWN of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Georgia. Madam Speaker, today America is drilling for oil on Mars, yet we cannot drill for oil in America. We have billions of gallons of crude oil in America that we can't even tap into because of a failed policy by the majority. We can't drill for oil. Just yesterday, I filled up my car and paid \$3.99.9 a gallon.

It is crazy that we can't drill for oil. We have to have responsible energy policy that gives us more supply. It is not about wind or electricity or taxing oil. The Democrats want to put a 50 cents a gallon tax on every gallon of diesel and gasoline in America. That is insane. That is not energy policy.

We have to drill for oil now. We have to streamline the permitting process for refineries. We have to supply more gas to people. It is a national security policy, it is an economic policy that we cannot continue that the majority has given us today. We need a responsible energy policy.

DEMOCRATS TAKE ACTION ON RECORD HIGH GAS PRICES AT THE PUMP

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Madam Speaker, as the price of gas continues to hit record highs almost every day, House Democrats continue to work on passing legislation that creates a cleaner and smarter energy policy that will provide consumers some real relief.

This year, the House has passed nine bills, many of which the President has

vetoed, that should help lower prices at the pump.

Last month we passed a final farm bill that makes an historic investment in expanding biofuel production, largely from non-food crops such as corn stalks, wood chips and switchgrass. The bill also provides support to farmers growing energy crops and entrepreneurs building refineries to convert biomass into fuel. Without biofuels, gasoline prices would be about 50 cents higher per gallon than they are right now.

The farm bill should be going to the President's desk any day now, but he plans to veto it. Fortunately, we should have enough bipartisan support to override that veto when the bill comes back to Congress.

Madam Speaker, investing in biofuels is critical to our energy future. The farm bill is just one more example of how this Democratic Congress is working to lower prices at the pump.

□ 1030

INCREASE THE SUPPLY OF OIL AT HOME

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, President Bush recently went to Saudi Arabia to ask the gulf kingdom to increase its oil production to help bring down gas prices. Instead of flying all the way to the Middle East, perhaps he should have made the short trip down Pennsylvania Avenue for a visit with Congress to ask the lawmakers here to increase the supply of oil right here at home.

According to the Department of Interior, 86 billion barrels of oil are available in the Outer Continental Shelf, added to the 53 billion barrels available in land. According to the Bureau of Land Management, we have 139 billion barrels of oil right here at home. That's more than the oil-rich countries like Kuwait, Venezuela and Russia have. Last year we imported over 6 billion gallons of refined gasoline into the United States.

One might ask, considering these numbers, why aren't we attempting to access more of our fuel right here at home? The Democrat leaders have a roadblock to every bill to drill for oil, natural gas, shale oil, right here in the U.S.

How long is it going to take them to learn?

AMERICAN FAMILIES ARE PAYING THE PRICE

(Mr. ARCURI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARCURI. Madam Speaker, today American families are paying the price for 7 years of failed economic policies

by this administration. This year alone, our economy has lost more than 300,000 jobs. It's important to remember that in order to just keep up with the population growth, our economy must create at least 150,000 jobs per month.

These statistics are devastating to millions of unemployed Americans who are increasingly competing against each other for the very few jobs that have become available. Yet President Bush continues to sit on the sidelines hoping that the economic situation will correct itself without additional governmental intervention.

The Democratic House believes the government must act, and it must act now. That's why we passed legislation last month that would extend unemployment insurance to workers who have exhausted their benefits. We also plan to move a second economic stimulus package that should help create jobs. I hope both President Bush and congressional Republicans would finally realize that this is the right thing to do.

DEMOCRATS HELP REBUILD THE ECONOMY

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Madam Speaker, with so many Americans fearing the loss of their jobs and their homes and worrying about the rising cost of basic needs like food and gas, it is clear that Washington must act.

The House had led the way in working to jump-start the economic recovery by putting hundreds of dollars in the hands of more than 130 million American families with the economic stimulus package. That is only the first step. It is going to take time to reverse the 7 years of the Bush failed economic policies that have favored the wealthiest few to the detriment of the middle class.

Congressional Democrats are working to address the record high cost of gasoline with the passage of a renewable energy tax incentive that will lower prices at the pump and create thousands of green jobs. With 325,000 jobs lost over the last 5 months, this Congress extended unemployment benefits last month, so that those having a hard time finding a new job have access to 13 additional weeks.

The Bush economy is hurting middle-class families in my home State of New Jersey, across the Nation, and we must give them relief.

DELIVER FUEL SOURCES TO THE PEOPLE

(Mr. BISHOP of Utah asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Utah. Madam Speaker, gas prices have finally hit \$4 a gallon. That's \$1.71 higher than when we

first met as a Congress, and the Speaker said she had a secret plan to lower those costs.

Yet rather than talking about energy issues, we are talking, spending time to find scapegoats to blame for those costs, not realizing that for every dollar that goes up in energy costs, jobs are lost, income is reduced, our social programs are harmed and people simply suffer. We should be fighting for these issues, for the 1,100 people that worked for American Airlines but were fired because they couldn't afford the gas for 100 planes; for the Washington, D.C., cabbie who, for the first time in his life, cannot greet his kids at home when they come home from school because he has to work 2 hours a day longer for the same amount of money; for the Virginia father who can no longer attend his father-and-son outing because he can't afford the gas to go there.

People are suffering, and, instead, we are here on the floor dealing with congressional minutia. We must be dealing with legislation to improve conservation, improve production and improve innovations of how we deliver those fuel sources to the people. Otherwise we will become, as John Adams said, one useless man is disgraced, two are a law firm, and three or more become a Congress.

The people have had this Congress.

DEMOCRATS TAKE ACTION ON RECORD HIGH GAS PRICES AT THE PUMP

(Mr. WU asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WU. Madam Speaker, I, for one, welcome this opportunity to engage in a debate with my friends across the aisle about who truly stands with the American consumer versus standing with Big Oil.

Over the weekend, the average price for a gallon of gas hit \$4 per gallon. It's \$4.50 per gallon at the pump closest to this debate. These outrageous prices are taking their toll on all of us, and the average American driver now pays more than \$2,200 per year for gasoline, up from about \$1,400 a year in 2001 at the beginning of the Bush administration.

Since January 2007, when this Democratic Congress came into the majority, we have been committed to changing the Nation's energy policy so we can lower prices at the pump. Last year, this Democratic Congress passed the landmark law that will make cars and trucks more efficient, which will eventually save American families somewhere between \$700 to \$1,000 each year. We have followed this up this year by passing bills cracking down on price gouging by Big Oil.

NATURAL GAS IS THE CLEAN, GREEN FUEL

(Mr. PETERSON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. PETERSON of Pennsylvania. Madam Speaker, today natural gas opened at \$12.65 per 1,000 Btus. That is an almost 100 percent increase from this time a year ago.

Natural gas is the clean, green fuel that powers our manufacturing economy, accounts for 23 percent of the energy consumed in America and heats 52 million of our homes. Yet as prices continue to skyrocket and companies move offshore because America has the highest natural gas prices in the world, this Congress has done absolutely nothing to increase production.

Tomorrow, I will offer an amendment to the Interior appropriations bill that will lift the congressional moratorium on offshore production from 50 to 200 miles, which happens to be the safest and most environmentally friendly place to produce energy. There is no need to beg the Saudis for more oil and Canada for more natural gas.

We have vast reserves here in America. We need to produce American energy with an American labor force and give Americans energy they can afford.

COLLUSION AND PRICE GOUGING

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Madam Speaker, you have got to admit it's a great system. The oil companies fill the Republican coffers with campaign contributions, and the Republicans pretend that they care about consumers while the Republicans stonewall steps to rein in price-gouging market speculation.

Remember the Enron loophole? That's 50 cents a gallon at the pump today. Ken Lay is dead, but it lives on.

They are protecting OPEC against World Trade Organization complaints that the President refuses to sign. He goes over and holds hands with the Saudi princes, but he won't file a complaint against market collusion.

Refineries, you are right. We have got a shortage. ExxonMobil says they are doing just fine. They have no plans to build a refinery. They are making obscene profits, 6,492 leases, no development. Eighty percent of the Outer Continental Shelf reserves are available, no plans to drill. Naval Petroleum Reserve, it is 8 years since Clinton leased it, zero percent production. There is a sea of oil under it.

Market forces, 11 bucks in 1 day for a barrel of oil, while consumption is way down in the U.S. It's not market forces, it's collusion and price gouging. The Bush-Cheney Republican caucus and the OPEC cartel are doing just fine the way things are. They pretend they want change, but they don't.

PROVIDING FOR CONSIDERATION OF H.R. 6003, PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008

Ms. MATSUI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1253 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1253

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 6003) to reauthorize Amtrak, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 6003 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All

time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. MATSUI. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Madam Speaker, I yield myself such time as I may consume.

H. Res. 1253 provides a structured rule for consideration of H.R. 6003, the Passenger Rail Investment and Improvement Act of 2008. The resolution provides 1 hour of general debate controlled by the Committee on Transportation and Infrastructure and makes in order 8 of the 10 amendments submitted for consideration.

From coast to coast we are seeing the effects of rising fuel prices. Energy prices have been a regular topic here in Congress, in the newspapers, and at family dinner tables.

The average price of a gallon of gas in Sacramento just climbed to \$4.41. My constituents are feeling this burden every single day. Driving to work and school is becoming more difficult and more costly for everyone.

The City of Sacramento also just started a major construction project on I-5, which cuts through the heart of my district. The already congested streets are going to become even more crowded.

□ 1045

That is why I am glad we are here considering such an important bill to reauthorize and invest in Amtrak. Our constituents are in desperate need of alternative modes of travel to combat both increased congestion as well as rising gas prices. Now is the time to capitalize on the renewed interest in passenger rail.

Millions of Americans from Atlanta to Sacramento are getting out of their cars and onto public transit. Many of these riders will be getting on rail for the first time. We must not let the opportunity to invest in our rail system pass us by.

From Greece to Paris to Tokyo, we have seen the economic benefits of intercity rail. Let's now bring these benefits to our Nation, our States, and our hometowns.

The Passenger Rail Investment and Improvement Act takes great strides to improve Amtrak and give our constituents the flexibility they need to travel.

Amtrak was created in 1970 to preserve and reinvigorate intercity passenger rail service throughout the country. Since 1981, it has been the Nation's sole provider of regularly scheduled intercity passenger rail service.

In fiscal year 2007, Amtrak carried more than 25.8 million passengers, the

fifth straight fiscal year of record ridership. Increased ridership numbers occurred across all of Amtrak's services in both corridor and long-distance routes. On average, more than 70,000 passengers ride on Amtrak every day.

Amtrak's financial performance has also improved in recent years, posting record gains in ticket sales. My region has seen the positive effects and benefits of having efficient transportation options. The Capitol Corridor line in California is showing that record numbers of Californians are choosing to use passenger rail. Ridership on the Capitol Corridor line is up 14 percent and revenue is up 21 percent from last year. On-time performance was also up from last year.

We can all agree that Amtrak needs to be brought into the 21st century. This legislation provides a comprehensive framework to improve Amtrak across the country. It increases capital and operating grants to Amtrak, helps bring the Northeast Corridor to a state of good repair, and makes various capital improvements.

H.R. 6003 also creates a new grant program for intercity passenger rail capital projects. Our urban centers will see tangible benefits and a commitment to getting cars off the streets by promoting alternative and efficient modes of transportation.

H.R. 6003 takes great strides to relieve rail congestion. It provides important congestion grants and works to resolve disputes between commuter and freight railroads. It also provides significant funding for high-speed rail corridors, including \$1.75 billion for construction and equipment.

Simply put, this bill will reduce congestion and facilitate ridership growth.

I want to thank Chairman OBERSTAR and Ranking Member MICA for coming together on this important bipartisan legislation. I am proud that this Congress is taking this important issue and tackling it, and look forward to supporting this legislation.

Madam Speaker, passage of the Passenger Rail Investment and Improvement Act is an important step to demonstrating our commitment to infrastructure investment. This is long overdue, and I encourage everyone to support the rule and the underlying legislation to provide the country with a safe and alternative mode of travel.

Madam Speaker, I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I yield myself such time as I may consume.

I rise today and want to thank my friend from California, a member of the Rules Committee, for yielding this time to me to discuss the proposed rule for consideration of the Passenger Rail Investment and Improvement Act.

I rise in opposition to this rule, and to the legislation, neither of which will meet the Democrats' campaign promises about how they said they would run the House in a fair and transparent manner, nor the American taxpayers'

expectations how the Federal Government should manage tax revenues that it takes from hardworking Americans.

The Passenger Rail Investment and Improvement Act of 2008 would reauthorize Government spending on Amtrak over the next 5 years at a cost of almost \$15 billion without requiring any meaningful reforms in Amtrak's governance or operations and without allocating taxpayer dollars based on a demand for the service.

As we know, Amtrak is a private corporation that continues to receive large Federal operating subsidies, despite laws passed by Congress requiring after 2002, over 5 years ago, that they should be able to run their operations without Federal grant funds.

Despite the fact that the Transportation and Infrastructure Committee approved this legislation, I am not alone in believing that Amtrak should conduct its operations without picking the pockets of American families who are already being asked to do this by the do-nothing Democrat Congress to pay for record prices for energy, and can little afford to subsidize the inefficiencies of a transportation system that many of them will never use.

Like me and many of my Republican colleagues, President Bush has urged this Congress to pass legislation that would: (1) create a system driven by sound economics where services are provided based primarily on consumer demand; (2) promote competition; (3) focus Amtrak on core operating competencies; (4) establish funding partnerships with States; and, (5) improve investment in and management of the Northeast Corridor.

I include for the RECORD the Statement of Administration Policy for H.R. 6003.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT
AND BUDGET

Washington, DC, June 9, 2008.

STATEMENT OF ADMINISTRATION POLICY

H.R. 6003—PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT OF 2008, (REP. OBERSTAR (D) MINNESOTA AND 41 COSPONSORS)

The Administration believes that a significantly reformed intercity passenger rail system has the potential to play a role of growing importance in providing transportation options in the United States, including helping to reduce congestion along heavily traveled intercity corridors. However, the Administration strongly opposes House passage of H.R. 6003, which would reauthorize the National Railroad Passenger Corporation (Amtrak) for five years, because it would authorize an appropriation of more than \$14 billion without requiring any meaningful reforms in Amtrak's governance or operations and without allocating resources based on the demand for passenger rail service. *For this reason, and others set forth below, if the bill were presented to the President in its current form, his senior advisors would recommend he veto it.*

Amtrak is a private corporation that continues to receive large Federal operating subsidies, despite longstanding existing law requiring that, after 2002, "Amtrak shall operate without Federal operating grant funds appropriated for its benefit." H.R. 6003 authorizes an unprecedented level of funding

but does not include basic measures to hold Amtrak accountable to taxpayers for its spending decisions. For example, H.R. 6003 provides scant opportunity for competition on existing Amtrak routes and does not include provisions that would condition Amtrak's funding based on progress on reforms. Measures to address these areas are included in S. 294 and should be adopted before Congress completes its work on this measure.

The Administration also would strongly object if bonding authority were added to the bill. Language in the introduced version of H.R. 6004, the Rail Infrastructure Development and Expansion Act for the 21st Century, permits State issuance of \$24 billion in bonds, including but not limited to tax credit bonds. In particular, the use of tax credit bonds to finance the construction of high-speed rail capital projects would be expensive and highly inefficient, and costs would be borne by taxpayers, not system users.

To move Amtrak towards a sustainable business model, the Administration urges Congress to pass legislation that reflects the following core reform principles consistently articulated by this Administration: (1) create a system driven by sound economics where services are provided based primarily on consumer demand; (2) promote competition; (3) focus Amtrak on core operating competencies; (4) establish funding partnerships with States; and (5) improve investment in and management of the Northeast Corridor.

The Administration appreciates that H.R. 6003 includes measures to promote private sector development of the Northeast Corridor and other potential high-speed routes. Making use of the private sector's operational and financial management capabilities could help new rail services to perform at a high level for the traveling public. However, the Administration is concerned that the authorized funding levels for high-speed rail in H.R. 6003 send the wrong message; any expansions of rail service should be based on a sustainable business model.

Titles III and V would establish certain capital grants programs requiring workers employed with funds obtained under these programs be paid pursuant to Davis-Bacon Act requirements. Thus, Titles III and V would expand Davis-Bacon Act coverage, which is contrary to the Administration's long-standing policy of opposing any statutory attempt to expand or contract the applicability of Davis-Bacon Act prevailing wage requirements. This expansion could undermine the effectiveness of the enumerated programs.

This statement, which outlines these goals for the improvement of Amtrak, makes clear that the President's senior advisers would recommend his veto of today's legislation that falls far short of this mark.

During testimony in the Rules Committee last evening, it was represented to the committee that the legislation would allow some minimal privatization of a few routes, and that some additional studies and the rearrangement of some management duties at Amtrak were included in the bill to improve its efficiencies. I appreciate these efforts, and although I do not think that they go nearly far enough, because as we speak Amtrak continues to hemorrhage money due to labor disputes, energy costs, and the requirement that they maintain service on very lightly used, long-haul routes through rural areas of the country.

Unfortunately, through their inaction, the Democrat majority has already demonstrated its lack of interest in doing anything serious to address this issue as well as soaring energy costs. Through its flurry of constant action on behalf of big labor bosses, they have demonstrated that they are equally unwilling to do anything to address that problem for Amtrak, its riders, or the American public.

That means that the only opportunity that Members have to reform Amtrak in this bill is through cutting the fat from these underused, rural long-haul lines that are often subsidized at a cost of multiple hundreds of dollars per ticket by American taxpayers.

To address this problem, I have offered an amendment that is very similar to my efforts in the past on this issue, but is this time even more direct in its approach.

In March 2007, I offered an amendment to the Rail and Public Transportation Security Act that would have prohibited Amtrak from subsidizing its 10 worst revenue losing long-distance routes, as determined by its own September 2006 monthly performance report unless the Secretary of Homeland Security determined that the route was critical to our homeland security needs. Unfortunately, this commonsense and fiscally responsible amendment failed.

So today, I will be offering an amendment that is even more direct in its purpose and even more clear in its intent, an amendment that will simply prohibit taxpayer subsidies from flowing to the absolutely worst, most wasteful, most expensive long-distance route that Amtrak runs, according to its own performance report as of March 2008, unless this route is deemed to be critical to our Nation's homeland security.

My amendment simply seeks to prevent further good taxpayer dollars from being thrown after bad by limiting the cost of Amtrak's number one least profitable route; the number one least profitable route, that's all we are asking in this bill.

Madam Speaker, if Members cannot support this simple, security-conscious amendment on behalf of fiscal discipline, I don't know if there is anything that we can possibly do to help the American taxpayers any more.

I ask all of my colleagues to vote against this rule which does not match the Democrats' rhetoric about running the most honest, open and transparent Congress in history. I also ask them to oppose this underlying legislation which even if my amendment were included does not go far enough to protect the hard-earned money of American taxpayers from wasteful spending at Amtrak.

Madam Speaker, I reserve the balance of my time.

Ms. MATSUI. Madam Speaker, before I yield to the next speaker, I just want to remind my colleagues that all of the

Nation's major transportation systems receive significant Federal investment, with good reason. Investment in rail infrastructure creates jobs, helps with congestion, decreases our dependence on oil, and offers viable alternatives for many of our citizens, including the elderly and disabled.

Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. ARCURI), a member of the Rules Committee and the Committee on Transportation and Infrastructure.

Mr. ARCURI. Madam Speaker, I would like to thank Chairman OBERSTAR, Chairwoman BROWN, and Ranking Members MICA and SHUSTER for their bipartisan leadership on the Amtrak legislation we will consider today, and as they showed yesterday in the Rules Committee, for their passionate advocacy on behalf of this great bill.

There has been much discussion about the condition of our Nation's transportation system and the growing pressures it faces from all sides: skyrocketing costs of fuel and maintenance; increased congestion from growing demand; and global climate change.

H.R. 6003 will take tremendous strides toward addressing these pressures by continuing our commitment to Amtrak and passenger rail service. Maintenance costs will continue to hinder us, but expanding and improving passenger rail service has the potential to relieve congestion both on our highways and in the skies by offering passengers a viable alternative. A shift toward rail can reduce the harmful CO₂ emissions generated by the transportation system.

For too long Amtrak has been the symbol of partisan politics in Washington. If we are to have a robust and successful system that users can rely on, then we must make a bipartisan commitment to supporting Amtrak. We cannot waiver on this commitment and expect to keep pace with the national rail systems of other developed countries around the world.

Partisan bickering has hurt Amtrak's overall state of repair. In fact, the Department of Transportation's inspector general concluded that, "Despite multiple efforts over the years to change Amtrak's structure and funding, we have a system that limps along, is never in a state of good repair, awash in debt, and perpetually on the edge of collapse." That must change.

Amtrak's maintenance backlog is a major impediment to its success. In recent years, Amtrak's ridership has grown at a modest but continuing rate, and Amtrak's on-time performance has declined down to an on-time arrival rate of 67.8 percent.

The Department of Transportation's inspector general has stated that Amtrak's continued deferral of maintenance increases the risk of a major failure on its system. Currently, Amtrak has an estimated \$6 billion in backlogged capital maintenance needs, including \$4 billion on the Northeast Corridor, its most profitable line.

I would gladly take the train home to my Upstate New York district, or from my home in Utica to New York City, but currently that is not a viable option because of the minimal Amtrak service. And even when there is service available, it is unreliable. Deferred track maintenance, especially in Upstate New York, has required lowering the speed limits on significant portions of the track. In addition, competition with freight carriers for priority on tracks causes Amtrak trains to become seriously delayed, to the point where train schedules are simply unreliable. The on-time arrival rate between Albany and Buffalo is a mere 42 percent, meaning that less than half of the trains arrive on time.

□ 1100

Unfortunately, for hardworking Americans, passenger rail is the only option for travel because of record high fuel prices, making air and car travel less viable.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Ms. MATSUI. Madam Speaker, I yield an additional minute to the gentleman.

Mr. ARCURI. I thank you for the additional time.

Improving passenger rail service must be part of our long-term transportation strategy if we expect to effectively decrease our Nation's reliance on finite fossil fuels, and allow Americans to get to and from work on time without breaking the bank each month.

The Passenger Rail Investment and Improvement Act will aggressively address these concerns. I encourage my colleagues to vote for this rule and the underlying bill and continue to support the viable passenger rail option in our Nation.

Mr. SESSIONS. Madam Speaker, the gentleman from New York, my friend, really made a great argument on exactly what I've been trying to say. But we've got to get our friends to come around the corner and see that if we would get Amtrak to do the things that are in their mission statement, rather than running all across the United States trying to do things that are not cost effective, are not within their main core mission, then we could find the money that would be available for them to support, as the gentleman said, the Northeast Corridor, to spend the money within the corridor to make them safer.

But, instead, what happens is Amtrak is not held accountable, not by this Congress. We tell them, just go ahead and do whatever you choose to do, rather than focusing on their mission which they have, which is that which is required for traffic on the coasts, the west coast and the east coast.

So, Madam Speaker, once again, we can't expect Amtrak to do the things that would be in the best interest if

they won't stick to their mission, if this Congress will not hold them accountable for the taxpayer dollars that they are utilizing.

Madam Speaker, at this time I would like to yield 3 minutes to the gentleman from South Carolina, the distinguished gentleman, Mr. BROWN.

Mr. BROWN of South Carolina. I thank my great friend from Texas (Mr. SESSIONS) for yielding.

Madam Speaker, I come to the floor today in strong support of H.R. 6003, the bipartisan Passenger Rail Investment and Improvement Act of 2008.

I want to applaud Subcommittee Chairwoman BROWN and Ranking Member SHUSTER, along with Full Committee Chairman OBERSTAR and Ranking Member MICA, for crafting a bipartisan reauthorization package that is focused on both improving Amtrak's capital assets, while also providing for development of new corridors in partnerships with States.

I am most pleased to see a major commitment to high speed rail contained in this bill, something that is absent in the Senate's bill. This legislation calls for more than just paper plans for high speed rail projects; it actually calls for dedicated funding and private sector involvement to move these projects forward.

Specifically, I am pleased that this legislation contains a provision that will improve the ability of future high speed rail corridors in the Southeast to best meet the changing population patterns and tourist demands along the coast.

With America facing \$4 gas and airlines seeing fuel costs 100 percent higher than last year, we must look to develop in ways that will ensure that new travel options such as high speed rail are directed where they are most needed.

High speed rail can play an important role in reducing congestion in places like the Grand Strand in my State, which sees 14 million tourists a year, and Charleston, which is the most congested small city in the country. And I am glad that this bill takes the next step towards addressing the transportation needs of these communities.

Another important element of this bill moves us towards planning for rail transportation the same way we plan for highways. Again, as we face historically high gasoline and diesel fuel costs, we must ensure that our transportation system is planned out to provide the connectivity that we need for increased passenger rail use and to take advantage of freight rail's ability to move a ton of freight 436 miles on a gallon of fuel. When combined with the investment this bill makes in high speed rail, and by allowing freight and passenger railroads to negotiate access to freight-owned tracks, the Committee's reauthorization proposal will go a long way towards an improved rail system in the future.

But that future may not be possible, Madam Speaker, if America continues

to face \$4 gasoline at the pump. I urge the majority to bring to the floor one of the many pieces of legislation introduced to open up domestic sources of energy, or else we won't be able to catch even an on-time train.

Ms. MATSUI. Madam Speaker, I'd just like to say that this bill creates a new State Capital Grants program for intercity passenger rail projects. These grants will help fund new facilities and equipment for intercity passenger rail and help move commuters off the roads and pollution out of the air.

The bill also authorizes \$1.75 billion to develop 11 high-speed rail corridors. These corridors will help remove cars from the highway and reduce pollution.

With that, I would like to reserve my time.

Mr. SESSIONS. Madam Speaker, at this time I would like to yield 5 minutes to the ranking member of the subcommittee, the Republican from Pennsylvania, the gentleman, Mr. SHUSTER.

Mr. SHUSTER. I thank the gentleman for yielding me time, and I want to start today by saying that it's a shame that this Congress and that the majority party, for 18 months, has failed to do anything to alleviate our energy problems in this country. We've had ample opportunity to pass legislation that will deal with this rising cost of energy this country, and as I've said, we've done nothing. The American people are crying out for us to do something.

And what we can do, it's obvious, in the short-term it's supply. It's look for new sources of oil, explore in different parts of this country, offshore. That's the answer in the short-term.

The long term—we have other technologies, clean coal technology, nuclear energy. We have to start doing something here. The American people, as I said, are crying out.

Gas in my district is \$4 a gallon. In my 7 years in Congress, I've been approached by people to tell me they disagree with me on this issue or that issue. But I've never had people come up to me and at the gas pump and yell at me publicly about this Congress doing absolutely nothing.

The time is now. We have to act. We've already, 7, 15 years ago we should have been acting. But we have to move today. As I said, it's just a shame that we haven't done anything sooner.

That being said, I think that this bill that we have before us today, The Passenger Rail Investment Improvement Act, does something positive when it comes to energy in this country. It's a small step. It's a positive step, but it's a step I think it's important for us to take today.

The last time that we authorized Amtrak was 1997. Gas was \$1.27 a gallon, and today, as I said, in Central Pennsylvania it's hovering around \$4 a gallon.

We also have, in this country, in 2005, we passed the 300 million mark in population. It took us 65 years to go from

200 million to 300 million. It's only going to take us 35 years to go from 300 million to 400 million. And that population isn't all going to move out into the West and to the middle of the country. That population will move around some, but those corridors around the country that are densely populated, the Northeast Corridor, Chicago, the west coast, throughout Texas, Florida, up and down the east coast, those corridors are going to become even more, the population is going to become denser.

So it's important that we do things to encourage people to use other forms of transportation, and passenger rail is one of those modes of transportation. It is one of the, if not the most efficient modes of transportation to move people, move large quantities of people. And I think that that's an extremely important reason for us to move forward.

As we watch fuel prices escalate, as we watch the population continue to grow, and as I said, the American people are desperate to escape gas prices, long commutes that define their work days, and I think this is a way for us to move forward.

Now, in the bill there are some important provisions, and one of the reasons that myself and the Ranking Member MICA signed on to it, and there are some private sector initiatives. First, we authorize in this bill for Amtrak, the IG and the Department of Transportation to identify the least of the underperforming, significantly underperforming lines in this country; identify at least two of them. That we then turn to the private sector and allow them to bid to take those lines over, and to allow them to run them and see if we can't turn them into efficient operations.

The second privatization initiative is to take a line in this country that Amtrak has stopped using, has abandoned because of high cost or whatever reason, and allow the private sector to take it over, re-establish it and run it efficiently and profitably, we hope.

And third is the Northeast Corridor. It is the most used corridor in the country. We need to establish high speed rail in this country, and the Northeast Corridor is where we need to do it, from Washington to New York; to get private sector companies to come to the table to give real bids on how much it's going to cost to establish high speed rail in this country. Not pie in the sky, not throwing darts, as we've done over the years, but to have real numbers, if it's \$10 billion, \$20 billion, \$60 billion, how much is it going to cost us to have true high speed which we need in this country, because of the population growth, because of energy costs that we have in this country.

High speed rail is extremely important in this authorization. And for the past 20 years we've had a theoretical debate on this floor about can the private sector run a railroad, can the pub-

lic, is it the public responsibility, and can the public do it better than the private sector?

Well, I believe that the private sector can run a passenger rail system. And I just have to look back to history. From 1850 to 1950 the private sector ran a profitable passenger rail system.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. SESSIONS. I yield the gentleman 1 additional minute.

Mr. SHUSTER. For 100 years the private sector operated passenger rail profitably. But what happened to it wasn't mismanagement, it was aviation, the airplane that came about. It was the interstate highway system that we built in this country. So people got off the trains and got into their cars and into airplanes. That's what happened to passenger rail.

And for the last 30 some years, as the government's tried to run it, it's not done it efficiently. So this is an opportunity for us to have some real successes, some private sector successes, and we can end this debate.

Is the private sector able to run a railroad, a passenger rail system? I believe they are, and I believe that these initiatives are extremely important for us to have some successes to point to as we move down the road and give the American people something they need, a passenger rail system that is profitable, that is successful.

And I want to end as I started. We need to do something on energy. This is one small step in the right direction. We can do more to solve our energy problems in this country. We should do more, and we must do more. The American people deserve that.

Ms. MATSUI. Madam Speaker, I just want to point out that one of the ways we are addressing gas prices is by giving constituents alternative modes of transportation, thereby reducing the number of cars on the road. Passenger rail will reduce our demand on foreign oil and help us become more energy independent.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, at this time I would like to yield 3 minutes to the gentleman from Illinois, the MVP of the Republican baseball championship team, the gentleman, Mr. SHIMKUS.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Madam Speaker, I appreciate Congresswoman MATSUI managing the time. We've worked very hard on clean diesel issues and the like, so this is really appropriate to this debate though, because Amtrak uses big diesel engines. And what's happened in the Amtrak debate that we haven't heard yet, hopefully we'll hear it later on is, like, one of the biggest threats to Amtrak is the high cost of diesel fuel. In fact, the fiscal year 2007 budget for fuel was \$125 million for Amtrak. The fiscal year 2008 budget for fuel for Amtrak is \$215 million.

Now, how are we going to pay for that? I know how they're going to pay for it. They're going to raise prices on these commuters. And there are some commuters who use Amtrak. But again, I'll quote the New York Times article that says "the counties where motorists spend the highest percentage of their income on gasoline tend to be in poor, rural areas." Amtrak doesn't go there. We don't have commuter rails. We have working trucks. We have big trucks. We haul feed. We haul beef. We haul pork. We need working trucks and they drive a large distance.

That's why this energy debate is critical. And here's the problem. All we're trying to do is bring, what's the problem, what's the solution. What's the problem. What's the solution.

Here's the problem. January 2001. \$23 a barrel. January 2006, after the Democrats took control and promised to lower fuel prices, that's right here, where are we today? \$123 a barrel.

What does that do for gas prices? From \$1.45 to \$2.33 to over \$4 a gallon for gas hurts rural America, hurts my district.

□ 1115

Don't come to the floor without a solution. The Outer Continental Shelf, trillions of cubic feet of natural gas, billions of barrels of oil. We have in this Congress and Congresses of the past said "off-limits." We're not going to explore this area. We're not going to recover.

Very similar to our position on ANWR. A position a size of the State of South Carolina. A drilling platform the size of an airport. And we are not going to drill there for billions of barrels of oil. President Clinton vetoed that in 1995. Had he not, that oil would be flowing to our country today. 1995 he vetoed the bill. President Carter put it off-limits for oil and gas exploration. That's why ANWR was originally set aside, but, no, we have that off-limits.

What is another solution? Coal-to-liquid technologies, diesel fuel that could help lower the price for Amtrak can be produced by taking U.S. coal, American energy, and turning it into fuel.

We're going to come to this floor talking about, oh, unemployment compensation.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. SESSIONS. Madam Speaker, I yield the gentleman an additional minute.

Mr. SHIMKUS. We're going to come to this floor saying, Oh, we've got to do something because energy heating costs are high; oh, we need to do something because people are losing their jobs.

I will tell you how we can get jobs back into the economy. Let's use American-made emergency. Let's open up the coal fields. Let's get mine workers the jobs. Let's build a coal-to-liquid refinery. Good building trade jobs. Let's have high-paying jobs operating

those refineries. Let's build pipelines to get this fuel to the Amtrak station to put in the diesel engines, and let's help our budget airlines not go bankrupt because of the high cost of fuel. Not just our budget airlines. Here is one on Continental: Continental joins cut-back frenzy. Soaring fuel prices.

Why do we have a job problem in this country? Because we have an energy problem. Until we come to this floor to debate on bringing more supply to the American public, our economy is always going to be struggling. We're the only country that looks at energy resources not as an economic advantage but as an environmental disaster.

Ms. MATSUI. Madam Speaker, first of all, at the end of the Clinton administration, oil was \$27 a barrel. It is now \$134 a barrel. A significant increase. And my friends on other side of the aisle are attempting to blame this newly elected Democratic Congress—I think someone on the other side said we have been here for 18 months—for this increase.

Furthermore, every bill that the Democrats bring before this Congress that attempts in any way, shape, fashion, or form to reduce the use and therefore the price of oil, the other side of the aisle votes "no."

The response to high oil prices was to give the big oil companies tax breaks. Well, that's not the priority of this Democratic Congress.

I want to talk about alternative energy. We want to invest in alternative modes of transportation like passenger rails which would take 8 million cars off the road. We want to reduce the dependence on foreign oil, the dependence on gas and on fossil fuels thereby making our country stronger both domestically and internationally.

The other side wants to talk about tax breaks for oil and gas companies. We're talking about investing in Amtrak and making our streets less congested, our skies cleaner, and our country less reliable on oil and gas.

What that, I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, if I could inquire how much time remains.

The SPEAKER pro tempore. The gentleman from Texas has 10 minutes. The gentlewoman from California has 18½ minutes.

Mr. SESSIONS. I reserve my time.

Ms. MATSUI. Madam Speaker, I would like to yield to the gentlewoman from Florida (Ms. CORRINE BROWN) for 3 minutes.

Ms. CORRINE BROWN of Florida. Madam Speaker, 50 years ago President Eisenhower created the national highway system which changed the way we travel in this country. Today, we need to do the same thing with passenger rail and make the level of investment necessary for us to become the most successful in the 21st century. That is why I am so excited about House bill 6003, the Passenger Rail Investment and Improvement Act, which was introduced by Mr. OBERSTAR, Ranking

Member MICA, subcommittee Ranking Member SHUSTER, and myself.

Amtrak is extremely valuable to our country. It takes cars off the road that are already congested. It reduces congestion in the sky, and it's better for the environment.

In many areas of the country, Amtrak is the only mode of transportation available. They have shown major increases in ridership, too, as ridership has increased in 8 of the 9 last years and reached a record level of 25.8 million passengers just last year. And with the cost of gas potentially rising to \$5 a gallon, there would be even more riders lining up for Amtrak.

Unfortunately, for many years Amtrak had been given just enough money to live alone, never getting the necessary funding to make serious improvement in the system. The hydraulic electric system is 70 years old, 65 percent of the bridges were built in the 1920s, and several tunnels which trains travel through every day were built in the 1800s.

In 2005, Amtrak conducted a comprehensive review of its capital needs. The review determined that Amtrak should invest \$4.2 billion to bring their infrastructure to the state of good repair. Today, with the backlog of major bridges and tunnel work, the necessary investment capital has approached an estimated \$6 billion.

As other countries continue to invest tens of billions of dollars each year to improve their passenger rail system, we are falling further and further behind by deferring much-needed improvements to our system. We must find a way to speed up Amtrak bylaws of repair work and bring its assets to a good state of repair so that Amtrak can concentrate on increasing capacity, increasing speed, developing new facilities, and planning for the future.

These major infrastructure improvements are also necessary to improve the safety and security of the system and its passengers and workers. Amtrak has and will continue to play a critical role in evacuation and transportation systems during national emergencies. Unfortunately, it is also a prime target for those who wish to harm us, and we must provide resources to make the system less vulnerable.

I'm looking forward to working with my colleagues in the House and the Senate to pass important legislation.

The SPEAKER pro tempore. The gentlewoman's time has expired.

Ms. MATSUI. I yield an additional 30 seconds to the gentlewoman.

Ms. CORRINE BROWN of Florida. The United States used to have a strong passenger rail system. Now we're at the caboose, and they don't even use cabooses anymore.

The American people deserve better, and I believe that the Amtrak reauthorization bill will go a long way to bring the use to its rightful place as the world leader in passenger rail.

In closing, I went from downtown Brussels to downtown Paris, 200 miles,

1¼ hours; downtown Barcelona to downtown Madrid, 2½ hours.

We will move forward with high-speed rail in this country.

Mr. SESSIONS. Madam Speaker, you know, I think we've forgotten it's a private corporation, not a government entity, that we're attempting to help here.

Madam Speaker, at this time I would like to yield 3 minutes to the distinguished gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I thank my colleague from Texas for yielding the time.

We're debating Amtrak. Well, certainly Amtrak's important for a lot of folks in the Northeast, but I will tell you as far as my constituents in western North Carolina, we can't commute to our jobs using Amtrak. This is not a solution for American energy independence that is being offered here on the House floor.

What is outrageous is as gas prices go above \$4, all they have is blame rather than action. My Democrat colleagues are simply passing blame rather than trying to act in a constructive way. And there is a way for us to act as a Congress to bring down gas prices. It is not by lawsuits, which is what the Democrat majority wants; it is not by more taxation on those driving cars, those using energy resources, those producing resources.

You know, there is a way that we can act. The American people understand it. This is a question of supply and demand. Seventy percent of the price of fuel comes from the price of crude oil. The American people understand this as gas is over \$4 a gallon, as a barrel of oil is over \$130 a barrel. And I will tell you, we must act.

In order to lower gas prices, this Congress must act to increase supply. We have to increase refining capacity, and we have to do this in a constructive, reasonable, proper way. One day we will end our dependence on foreign oil. We will end it and we will use our alternative sources of energy. We will use domestic production. We will use refining capacity here in the United States. But let's talk about some important statistics here.

Seven hundred days ago the Speaker of the House, NANCY PELOSI, said, Democrats have a commonsense plan to bring down skyrocketing gas prices. What is the plan? Where's the action? We've seen nothing. The Democrat Whip, JIM CLYBURN, said, Democrats have a plan to help curb rising gas prices. What have we seen? Nothing. STENY HOYER, the Democrat leader, said, Democrats believe that we can do more for the American people who are struggling to deal with high gas prices. Now, all of this was said in an election year. What have we seen in the last 2 years from this Democrat Congress? Nothing.

Now, I will tell you it is not perfect. Not all Republicans support opening up ANWR. Not all Republicans support oil shale. Not all Republicans support increasing refinery capacity, but roughly 91 percent of Republicans support those

issues while 86 percent of House Democrats oppose those actions.

I think it's time that we come together for a commonsense solution to reduce our dependence on foreign oil. Conservation is a sign of personal virtue but is not a means to energy independence. We must act together.

Ms. MATSUI. Madam Speaker, I want to remind everybody that investing in Amtrak is an energy-efficient way to decrease our dependence on foreign oil. One rail line can carry the equivalent of 16 highway lanes, and Amtrak uses 50 percent less energy per passenger than air travel.

I will reserve the balance of my time. Mr. SESSIONS. Madam Speaker, if I could inquire on the time remaining.

The SPEAKER pro tempore. The gentleman from Texas has 7 minutes. The gentlewoman from California has 15 minutes.

Mr. SESSIONS. If I could inquire of my colleague if she has additional requests for time.

Ms. MATSUI. I have no additional speakers, and I will close.

I would yield to the gentleman to use his time.

Mr. SESSIONS. I thank the gentleman for saying she has no additional speakers, so I will continue.

Madam Speaker, I would like to yield 5 minutes to the distinguished gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I thank my colleague for yielding.

Madam Speaker, whatever the outcome of this debate on Amtrak today is, it is not going to affect my constituents very much. What does affect them every minute of every day is the price of energy. I would suggest that we should defeat the previous question on the rule so that the gentleman, Mr. SESSIONS, can offer an amendment to this bill that would bring to the floor a bill that has provisions that will do something about energy, that will do something on the issue that affects every American every moment of every day.

That amendment would bring to the floor H.R. 3089, the No More Excuses Energy Act, and at the same time, a discharge petition today is being filed to require the House to vote on that bill.

The philosophy of that bill is that we need to produce more energy of all kinds here at home, and we have run out of time to make excuses on why we can't do that. And you have heard some of those excuses and some of the political blame game already today during the debate. Some people want to blame China and India for using too much oil. Some people want to blame big oil companies. Other people want to blame OPEC for not producing enough. Some people even want to blame suburban moms for using too much energy as they drive their kids to sporting events in their minivans.

□ 1130

They want to say they're using too much oil. But the point is, we've had enough of this blame game. The point is, it's time for this Congress to act

and actually do something. And the way to act today is to vote down the previous question so today we can do something about the cost of energy throughout the country.

The No More Excuses Act takes the approach that we need to do more of everything. Yes, it allows drilling in Alaska and off our coasts, but it also encourages companies to take the CO₂ that goes up the smokestacks and put it back in the ground to flush out all of the oil on existing wells so that we can get every drop we can out of the ground.

This bill encourages the building of more refineries. It encourages the building of nuclear power plants. It encourages more wind energy. There is a lot of wind energy activity in my district, but what I hear from all of those involved is, when Congress just extends the tax credit 1 or 2 years at a time, there is no way that we can make the financial decisions we need to make.

So this bill that ought to come to the floor today would extend it by 10 years so that we can have a major investment in wind, as well as all the other forms of energy that we can produce here at home, because every bit of energy we produce here at home is one less barrel of oil we have to buy from overseas. And that makes sense.

What we're trying to do is to force some action that will make things better, not worse. Unfortunately, what the public and what the markets hear from this Congress so far the last 18 months are ideas that make things worse. They want to put a windfall profits tax on "Big Oil" so that they are discouraged from producing more oil. They may not know by the way, Madam Speaker, that 90 percent of the wells drilled in the continental United States are drilled by independent companies, not Big Oil. But what people hear from this Congress is we want to take away the incentives that encourage us to drill the Deepwater in the gulf. So other countries are there drilling, but we want to tie our hands and not produce the energy we have; we'd rather buy the oil from Saudi Arabia or Venezuela or Nigeria. That makes no sense.

There is no one perfect answer, but Madam Speaker, my argument is that rather than pointing the fingers of blame, it's time for no more excuses. It's time for action today, and that action can come by voting down the previous question so that the rule can be amended and we can take action today that produces more energy of all kinds here at home. That will matter to my constituents, and that will matter to all Americans.

Ms. MATSUI. I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, the gentleman from Texas, Mr. THORNBERRY, said it best: no excuses. It's time for us to get our work done, and the bottom line is is

that the supply side of the equation is the problem. If we had lots of supply, prices wouldn't be what they are. We need to bring to the table American energy for America's independence, but quite frankly, we're not only tired of paying higher prices, we're also tired of building new Dubais across the world. And that rests at the feet of our Speaker, NANCY PELOSI, who has a policy that restricts Americans from drilling for oil and having energy independence. Today is no excuses.

Madam Speaker, since taking control of Congress in 2007, this Democrat Congress has totally neglected its responsibility to do anything constructive, constructive, to address the domestic supply issues that have created the skyrocketing gas, diesel and energy costs that American families are facing today.

So, today, I urge my colleagues to defeat the previous question so this House can address the real solutions to energy costs. That's the supply side. By defeating the previous question, I will move to amend the rule to allow for consideration of H.R. 3089, the No More Excuses Energy Act of 2007, introduced by my friend MAC THORNBERRY of Texas, that he introduced back 1 year ago in July 2007.

This legislation would reduce the price of gasoline by opening new American oil refineries; investing in clean energy sources such as wind, nuclear and captured carbon dioxide; and making available more homegrown energy through environmentally sensitive exploration of the arctic energy slope and America's deep sea reserves.

Madam Speaker, I ask unanimous consent to have the text of this amendment and extraneous material inserted into the RECORD prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. I urge all of my colleagues to take this attempt to spend almost \$15 billion of taxpayers' money on subsidized trains and turn it into something positive about energy prices for all of America and for American independence so that we can say we are finally working together and doing something positive about the rising price of fuel. By defeating the previous question, we can do that.

I yield back the balance of my time.

Ms. MATSUI. Madam Speaker, I thank the gentleman from Texas, and I yield myself the balance of my time.

The rule before us today is a fair rule that allows us to highlight transportation challenges and our vision for a better tomorrow. It is Congress' responsibility to provide our constituents with alternative modes of transportation, especially as we see increased congestion and ever rising gas prices.

The Democratic majority is fighting to reduce our dependence on foreign oil and bring down gas prices and launch a

cleaner, smarter energy future for America that lowers costs and creates hundreds and thousands of green jobs. This is a marked change from the 7 years of the current administration's energy policies of simply drilling for more fossil fuels and providing even greater taxpayer subsidies to big oil companies already earning record profits.

The underlying bill, H.R. 6033, the Passenger Rail Investment and Improvement Act of 2008, takes huge steps to modernize Amtrak and give it the tools it needs to operate effectively and efficiently.

By giving this Nation viable passenger rail, we will be able to decrease our dependence on foreign oil and give commuters options to get to work and school. In fact, Amtrak takes 8 million cars off the road.

We have a commitment to maintain and improve the backbone of our Nation's transportation infrastructure system. This bill does just that, and I urge its adoption.

Madam Speaker, I urge a "yes" vote on the previous question and on the rule.

The material previously referred to by Mr. SESSIONS is as follows:

AMENDMENT TO H. RES. 1253 OFFERED BY MR. SESSIONS OF TEXAS

At the end of the resolution, add the following:

SEC. 3. Immediately upon the adoption of this resolution the House shall, without intervention of any point of order, consider in the House the bill (H.R. 3089) to secure unrestricted reliable energy for American consumption and transmission. All points of order against the bill are waived. The bill shall be considered as read. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources, the chairman and ranking number of the Committee on Ways and Means, and the chairman and ranking member of the Committee on Energy and Commerce; and (2) an amendment in the nature of a substitute if offered by Representative Rahall of West Virginia, which shall be considered as read and shall be separately debatable for 40 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House

being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the *Floor Procedures Manual* published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. MATSUI. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE AND TECHNOLOGY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Science and Technology:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 10, 2008.

Hon. NANCY PELOSI,
Speaker of the House, U.S. Capitol Building,
Washington, DC.

DEAR MADAM SPEAKER: I am writing to notify you of my resignation from the Committee on Science and Technology, effective today.

Thank you for your attention to this matter.

Sincerely,

DARLENE HOOLEY,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Transportation and Infrastructure:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 9, 2008.

Hon. NANCY PELOSI,
Speaker, Capitol, H-232,
Washington, DC.

DEAR MADAM SPEAKER, Thank you for the tremendous opportunity to serve on the Energy and Commerce Committee.

Due to the pending assignment, please accept my resignation from the Transportation and Infrastructure Committee effective Tuesday, June 10.

It was an honor to serve on the Transportation and Infrastructure Committee under the tremendous leadership of Chairman Oberstar. The Transportation and Infrastructure Committee has provided me with a useful forum to help shape our country's investment in our roadways and transportation systems. I look forward to continuing to following the success of the committee and offering my assistance wherever possible.

It is with great enthusiasm and dedication that I look forward to serving on the Energy and Commerce Committee. My strongest desire as a Member of Congress is to improve the lives of the people I represent, and serving on this committee will afford me invaluable opportunities to make a demonstrative and positive difference in their lives.

I appreciate your attention to my resignation, and please do not hesitate to contact me if I can be of any assistance to you.

Sincerely,

DORIS O. MATSUI,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON VETERANS' AFFAIRS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Veterans' Affairs:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 10, 2008.

Hon. NANCY PELOSI,
Speaker, Capitol Building,
Washington, DC.

DEAR MADAM SPEAKER: I am writing to notify you of my resignation from the Committee on Veterans' Affairs. Please consider this resignation effective today.

Thank you for your attention to this matter.

Sincerely,

MIKE DOYLE,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Financial Services:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 10, 2008.

Hon. NANCY PELOSI,
Speaker, Capitol Building, Washington, DC.

DEAR SPEAKER PELOSI: At the request of the Speaker and to provide a slot for a newly-elected colleague, I resign my membership on the Financial Services Committee.

Very truly yours,

JIM MARSHALL.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

MERIDA INITIATIVE TO COMBAT ILLICIT NARCOTICS AND REDUCE ORGANIZED CRIME AUTHORIZATION ACT OF 2008

Mr. BERMAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6028) to authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6028

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Definitions.

TITLE I—ASSISTANCE FOR MEXICO

Sec. 101. Findings.
Sec. 102. Declarations of policy.

Subtitle A—Law Enforcement and Security Assistance

Sec. 111. Purposes of assistance.
Sec. 112. Authorization of assistance.
Sec. 113. Activities supported.
Sec. 114. Limitation on assistance.
Sec. 115. Authorization of appropriations.

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian Institutions

Sec. 121. Sense of Congress.
Sec. 122. Authorization of assistance.
Sec. 123. Activities supported.
Sec. 124. Authorization of appropriations.

TITLE II—ASSISTANCE FOR COUNTRIES OF CENTRAL AMERICA

Sec. 201. Findings.
Sec. 202. Declarations of policy.

Subtitle A—Law Enforcement and Security Assistance

Sec. 211. Purposes of assistance.
Sec. 212. Authorization of assistance.
Sec. 213. Activities supported.
Sec. 214. Limitation on assistance.
Sec. 215. Authorization of appropriations.

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian Institutions

Sec. 221. Authorization of assistance.
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TITLE III—ADMINISTRATIVE PROVISIONS

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TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Coordinator of United States Government Activities to Implement the Merida Initiative.

Sec. 502. Metrics and oversight mechanisms.

Sec. 503. Report.

Sec. 504. Sense of Congress.

Sec. 505. Sunset.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees”—

(A) means—

(i) the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives; and

(ii) the Committee on Appropriations and the Committee on Foreign Relations of the Senate; and

(B) for purposes of titles IV and V, includes the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate.

(2) COUNTRIES OF CENTRAL AMERICA.—The term “countries of Central America” means

Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama and includes Haiti and the Dominican Republic.

(3) **MERIDA INITIATIVE.**—The term “Merida Initiative” means the program announced by the United States and Mexico on October 22, 2007, to fight illicit narcotics trafficking and criminal organizations throughout the Western Hemisphere.

TITLE I—ASSISTANCE FOR MEXICO

SEC. 101. FINDINGS.

Congress finds the following:

(1) The drug crisis facing the United States remains a significant national security threat.

(2) The Government Accountability Office (GAO) estimates that 90 percent of illegal drugs that enter the United States come through the Mexico-Central America corridor.

(3) The same smuggling routes that are used to bring illegal narcotics north are utilized to illegally distribute arms, precursor chemicals, and bulk cash transfers south.

(4) Drug gangs that operate in the United States, Mexico, and Central America have become sophisticated and vertically-integrated operations expert at penetrating the United States-Mexico border.

(5) Narcotics-related activity and expanding cross-border trafficking is dangerously undermining the security environment for our neighbors to the South, as well as in the United States.

(6) Mexico can and has served as a critical ally and partner in stemming the flow of illegal narcotics into the United States. Under the leadership of Mexican President Felipe Calderón, the United States and Mexico have initiated an approach of joint responsibility to confront the threat of illicit narcotics trafficking and organized crime in the Western Hemisphere.

(7) The spread of illicit narcotics through United States borders and the violence that accompanies it cannot be halted without a comprehensive interdiction and security strategy planned and executed jointly with our southern neighbors.

(8) In March 2007, President George W. Bush and Mexican President Calderón held a summit in the Mexican City of Merida and agreed that the United States and Mexico must expand bilateral and regional cooperation to fight violence stemming from narcotrafficking and regional criminal organizations.

(9) On October 22, 2007, the United States and Mexico issued a joint statement announcing the Merida Initiative, a program to fight illicit narcotics trafficking and criminal organizations throughout the Western Hemisphere.

(10) In the joint statement—

(A) Mexico pledged to “strengthen its operational capabilities to more effectively fight drug-traffickers and organized crime”;

(B) the United States pledged “to intensify its efforts to address all aspects of drug trafficking (including demand-related portions) and continue to combat trafficking of weapons and bulk currency to Mexico”;

(C) both nations pledged to “augment cooperation, coordination, and the exchange of information to fight criminal organizations on both sides of the border”.

(11) A long-term strategy to adequately contain the northbound and southbound flows of illicit narcotics along the United States-Mexico border, as well as protect the vast and free flow of trade, will require the United States to partner with its southern neighbors in their efforts to build the capacity of their own law enforcement agencies and enhance the rule of law, as well as to fortify United States illicit narcotics reduction efforts.

SEC. 102. DECLARATIONS OF POLICY.

Congress makes the following declarations:

(1) The Merida Initiative is a critical part of a growing partnership and strategy of cooperation between the United States and its southern neighbors to confront the illegal flow of narcotics as well as violence and organized crime that it has spawned.

(2) The United States needs to ensure the free flow of trade between the United States and its critical neighbor, Mexico, while ensuring that the United States border is protected from illegal smuggling into the United States.

(3) The United States must intensify efforts to stem the flow of precursor chemicals, bulk cash, and the so-called “iron-river” of arms illegally flowing south, as well as demand-related aspects of the illicit narcotics phenomenon.

(4) The United States should provide its expertise to meet immediate security needs along the United States-Mexico border, fight the production and flow of illicit narcotics, and support Mexico in its efforts to do the same.

(5) The United States should support the Government of Mexico’s work to expand its own law enforcement to independently conduct successful counternarcotics and organized crime-related operations.

(6) The Merida Initiative reflects the belief that Mexican military involvement is required in the short-term to stabilize the security situation, but that most aspects of this problem fall into the realm of law enforcement.

(7) In implementing the Merida Initiative, the United States should work with its southern neighbors to mitigate the so-called “balloon effect” in which successful counternarcotics efforts shift narcotics-related activities to other areas.

(8) The United States should coordinate with the Congress of the Union of Mexico to ensure full partnership on the programs authorized under this Act.

Subtitle A—Law Enforcement and Security Assistance

SEC. 111. PURPOSES OF ASSISTANCE.

The purposes of assistance under this subtitle are to—

(1) enhance the ability of the Government of Mexico, in cooperation with the United States, to control illicit narcotics production, trafficking, drug trafficking organizations, and organized crime;

(2) help build the capacity of law enforcement forces of Mexico to control illicit narcotics production, trafficking, drug trafficking organizations, and organized crime;

(3) aid the support role that the armed forces of Mexico is providing to law enforcement agencies of Mexico as the security situation in Mexico is initially stabilized;

(4) protect and secure the United States-Mexico border, and control illegal activity going south as well as north;

(5) strengthen the bilateral and regional ties of the United States with Mexico and the countries of Central America by assuming shared responsibility and offering concrete assistance in this area of great mutual concern;

(6) strengthen respect for internationally recognized human rights and the rule of law in efforts to stabilize the security environment relating to illicit narcotics production and trafficking and organized crime; and

(7) support the judicial branches of the Government of Mexico and the countries of Central America, as well as support anti-corruption efforts in those countries; and

(8) respond to the direct requests of the Government of Mexico that the United States reduce the demand for illicit narcotics in the United States, stem the flow of

illegal arms into Mexico from the United States, stem the flow of illegal bulk-cash transfers into Mexico from the United States, and stem the flow of illegal precursor chemicals into Mexico from the United States.

SEC. 112. AUTHORIZATION OF ASSISTANCE.

To carry out the purposes of section 111, the President is authorized to provide assistance for Mexico to support the activities described in section 113.

SEC. 113. ACTIVITIES SUPPORTED.

(a) **IN GENERAL.**—Activities that may be supported by assistance under section 112 include the following:

(1) **COUNTERNARCOTICS AND COUNTERTRAFFICKING.**—To assist in building the capacity of law enforcement and security forces of Mexico to eradicate illicit narcotics trafficking and reduce trafficking-fueled violence, including along the United States-Mexico border, including assistance such as—

(A) radar and aerial surveillance equipment;

(B) land and maritime interdiction equipment and training, including—

(i) transport helicopters and night-operating capabilities;

(ii) surveillance platform planes; and

(iii) maintenance and training relating to maintenance of aircraft; and

(C) training of security and law enforcement units to plan and execute counternarcotics operations.

(2) **PORT, AIRPORT, AND RELATED SECURITY.**—To assist in monitoring and controlling the United States-Mexico border and the border between Mexico and Central America to combat illicit narcotics trafficking, including assistance such as—

(A) computer infrastructure and equipment;

(B) secure communications networks; and

(C) nonintrusive monitoring technology.

(3) **OPERATIONAL TECHNOLOGY.**—

(A) **ASSISTANCE OBJECTIVES.**—To assist in investigation and collection of intelligence against illicit drug trafficking organizations, including—

(i) expansion of intelligence databases; and

(ii) hardware, operating systems, and training for updating the communications networks of security agencies.

(B) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(i) operational technology transferred to the Government of Mexico for intelligence or law enforcement purposes should be used solely for the purposes for which the operational technology was intended; and

(ii) the United States should take all necessary steps to ensure that use of operational technology described in clause (i) is consistent with United States law, including protections of freedom of expression, freedom of movement, and freedom of association.

(4) **PUBLIC SECURITY AND LAW ENFORCEMENT.**—To assist in the modernization of law enforcement entities and prevent crime, including assistance and activities such as—

(A) law enforcement training and equipment, including—

(i) transport helicopters;

(ii) surveillance aircraft, including Cessna Caravan light utility aircraft;

(iii) nonintrusive inspection equipment; and

(iv) human rights training for law enforcement units;

(B) enhancement of the Government of Mexico’s financial intelligence unit;

(C) safety-related equipment for law enforcement officers and prosecutors, including protective vests and helmet sets;

(D) reduction of drug demand in Mexico, including activities such as—

(i) assistance to the National Council Against Addictions (CONADIC) to establish an Internet web-based support network;

(ii) establishment of a national data center to support the CONADIC; and

(iii) training of CONADIC and other agency staff in best practices and outreach and treatment programs, and design of a methodology to implement best practices in conjunction with the National Network for Technological Transfers in Addiction.

(b) **PROVISION OF HELICOPTERS.**—Funds made available to carry out this subtitle to provide helicopters to the Government of Mexico, shall, to the extent possible, be used to procure or provide helicopters that are of a similar manufacture to those helicopters already in the possession of the Government of Mexico in order to facilitate integration of those assets into Mexico's existing air fleet.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that the United States shall ensure, to the extent possible, that assistance under this subtitle is made available and cross-utilized by the armed forces of Mexico and relevant law enforcement agencies of the Government of Mexico, including the Mexican Office of the Attorney General.

SEC. 114. LIMITATION ON ASSISTANCE.

(a) **LIMITATION.**—No assistance may be provided under this subtitle to any unit of the armed forces of Mexico or any unit of the law enforcement agencies of Mexico if the Secretary of State determines that, consistent with section 620J of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d), there is credible evidence that such unit has committed gross violations of human rights.

(b) **EXCEPTION.**—The limitation in subsection (a) shall not apply if the Secretary of State determines and reports to the appropriate congressional committees that the Government of Mexico is taking effective measures to bring the responsible members of the unit of the armed forces or law enforcement agencies, as the case may be, to justice.

SEC. 115. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—To carry out this subtitle, there are authorized to be appropriated to the President \$350,000,000 for fiscal year 2008, \$390,000,000 for fiscal year 2009, and \$40,000,000 for fiscal year 2010.

(b) **LIMITATION.**—

(1) **IN GENERAL.**—Of the amounts appropriated pursuant to the authorization of appropriations under subsection (a)—

(A) not more than \$205,000,000 may be provided as assistance for the armed forces of Mexico for 2008;

(B) not more than \$120,000,000 may be provided as assistance for the armed forces of Mexico for 2009; and

(C) not more than \$9,000,000 may be provided as assistance for the armed forces of Mexico for 2010.

(2) **ADDITIONAL LIMITATION.**—None of the funds appropriated pursuant to the authorization of appropriations under subsection (a) for fiscal year 2009 may be provided as assistance for the Mexican Secretariat of Public Security until the President determines that the Mexican National Registry of Police Personnel (Registro Nacional de Personal Policial) is operational at the federal, state, and local levels.

(c) **AVAILABILITY.**—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are—

(1) authorized to remain available until expended; and

(2) in addition to funds otherwise available for such purposes, including funds available under chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.).

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian Institutions

SEC. 121. SENSE OF CONGRESS.

It is the sense of Congress that, as a critical part of a joint, comprehensive security, counternarcotics, and organized crime initiative, the United States should support—

(1) programs of the United States Agency for International Development and other United States agencies focused on strengthening civilian institutions and rule of law programs in Mexico at the federal, state, and local levels; and

(2) anti-corruption, transparency, and human rights programs to ensure due process and expand a culture of lawfulness in Mexico.

SEC. 122. AUTHORIZATION OF ASSISTANCE.

The President is authorized to provide assistance for Mexico to support the activities described in section 123.

SEC. 123. ACTIVITIES SUPPORTED.

Activities that may be supported by assistance under section 122 include the following:

(1) **INSTITUTION BUILDING AND RULE OF LAW.**—To assist Mexico's efforts to expand the rule of law and build the capacity, transparency, and trust in government institutions, including assistance such as—

(A) rule of law and systemic improvements in judicial and criminal justice sector institutions, including—

(i) courts management and prosecutorial capacity building;

(ii) prison reform activities, including those relating to anti-gang and anti-organized crime efforts;

(iii) anti-money laundering programs;

(iv) victim and witness protection and restitution; and

(v) promotion of transparent oral trials via training for the judicial sector;

(B) police professionalization, including—

(i) training regarding use of force;

(ii) human rights education and training;

(iii) training regarding evidence preservation and chain of custody; and

(iv) enhanced capacity to vet candidates;

(C) support for the Mexican Office of the Attorney General, including—

(i) judicial processes improvement and coordination;

(ii) enhancement of forensics capabilities;

(iii) data collection and analyses;

(iv) case tracking and management;

(v) financial intelligence functions; and

(vi) maintenance of data systems.

(2) **ANTI-CORRUPTION, TRANSPARENCY, AND HUMAN RIGHTS.**—To assist law enforcement and court institutions in Mexico to develop mechanisms to ensure due process and proper oversight and to respond to citizen complaints, including assistance such as—

(A) enhancement of polygraph capability in the Mexican Police agency (SSP);

(B) support for greater transparency and accountability in the Mexican legal system, including—

(i) establishment of a center in the Mexican Office of the Attorney General for receipt of citizen complaints;

(ii) establishment of clerk of the court system to track cases and pretrial detentions;

(iii) reorganization of human and financial resources systems; and

(iv) equipping and training of criminal investigators; and

(C) promotion of human rights, including—

(i) support for human rights organizations, bar associations, and law schools; and

(ii) training for police, prosecutors, and corrections officers.

(3) **PREVENTION.**—To assist in the prevention of individuals from participating in illicit narcotics-related violent activities, such as—

(A) establishment of programs that address domestic violence and increase school attendance rates; and

(B) expansion of intervention programs, including after-school programs and programs for at-risk and criminal involved youth.

(4) **DEVELOPMENT.**—To assist in the development of areas where lack of jobs breeds illicit narcotics-related violence, including—

(A) expansion of alternative livelihood programs, including job creation programs and rural development programs and the provision of microenterprise development assistance under title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2211 et seq.); and

(B) establishment of gang reeducation and training programs.

SEC. 124. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—To carry out this subtitle, there are authorized to be appropriated to the President \$120,000,000 for fiscal year 2008, \$100,000,000 for fiscal year 2009, and \$110,000,000 for fiscal year 2010.

(b) **AVAILABILITY.**—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are—

(1) authorized to remain available until expended; and

(2) in addition to funds otherwise available for such purposes, including funds available under chapter 8 of part I of the Foreign Assistance Act of 1961.

TITLE II—ASSISTANCE FOR COUNTRIES OF CENTRAL AMERICA

SEC. 201. FINDINGS.

Congress finds the following:

(1) A May 2007 report by the United Nations Office on Drugs and Crime (UNODC) argues that countries of Central America are particularly vulnerable to violent crimes fueled by illicit narcotics trafficking and corruption because such countries are geographically located between the world's largest drug producing and drug consuming countries.

(2) According to Assistant Secretary of State for Western Hemisphere Affairs Thomas Shannon, "[T]he nations of Central America have committed to collective action to address these common security concerns. Through the Central American Integration System (SICA), the governments have expressed the political resolve to join forces to strengthen regional security; however they lack sufficient tools and capacity to execute such will."

(3) Crime and violence in Central America has increased in recent years.

(4) In 2005, the estimated murder rate per 100,000 people was roughly 56 in El Salvador, 41 in Honduras, and 38 in Guatemala.

(5) Youth gang violence has been one of the major factors contributing to increased violence in Central America, with the United States Southern Command estimating that there are 70,000 gang members in Central America.

(6) Many Central American youth gangs are transnational and negatively impact both Central America and the United States.

(7) Youth gang violence cannot be curbed only through enforcement, but must also include a substantial investment in prevention, rehabilitation, and reintegration.

(8) Deportees sent from the United States back to Central America, while not a central cause of crime and violence, can contribute to crime and violence in Central America.

(9) Guatemala has experienced a surge in murders of women in recent years, many of which have been committed by illicit narcotics traffickers and other organized criminals.

(10) Violence between partners, particularly violence by men against their wives or girlfriends, is widespread in Central America, and an international violence against

women survey comparing selected countries in Africa, Latin America, Europe, and Asia found that 60 percent of women in Costa Rica—often considered the least violent country in Central America—reported having experienced domestic violence during their lives.

(11) Weak justice systems in the countries of Central America have led to a high level of impunity in Central America.

(12) The United Nations International Commission against Impunity in Guatemala (CICIG) was recently created to begin to address impunity related to illegally armed groups in Guatemala.

(13) The United States and the Central American Integration System (SICA) signed an agreement in July 2007 to improve intelligence sharing and policing and to institutionalize dialogue on regional security.

SEC. 202. DECLARATIONS OF POLICY.

Congress makes the following declarations:

(1) A long-term United States strategy to curb illicit narcotics trafficking must include Central America, which is the corridor for 90 percent of the cocaine that transits from South America to the United States.

(2) It is in the interest of the United States to support a long-term commitment to assisting the countries of Central America to improve security by combating illicit narcotics trafficking, investing in prevention programs, increasing intelligence sharing, improving regional security coordination, improving border and customs capabilities, professionalizing police, justice, and other government officials, and funding programs to reintegrate deportees from the United States.

(3) The countries of Central America are committed to combating illicit narcotics trafficking and its related violence and crime, including gang violence, and the United States must seize the opportunity to work in partnership with Central America.

Subtitle A—Law Enforcement and Security Assistance

SEC. 211. PURPOSES OF ASSISTANCE.

The purposes of assistance authorized by this subtitle are to—

(1) enhance the ability of governments of countries of Central America to control illicit narcotics production, trafficking, illicit drug trafficking organizations, and organized crime;

(2) help build the capacity of law enforcement agencies of the countries of Central America to control illicit narcotics production, trafficking, illicit drug trafficking organizations, and organized crime;

(3) strengthen the bilateral ties of the United States with the countries of Central America by offering concrete assistance in this area of great mutual concern;

(4) strengthen respect for internationally recognized human rights and the rule of law in efforts to stabilize the security environment relating to illicit narcotics production and trafficking and organized crime; and

(5) support the judicial branch of governments of the countries of Central America, as well as to support anti-corruption efforts in such countries.

SEC. 212. AUTHORIZATION OF ASSISTANCE.

To carry out the purposes of section 211, the President is authorized to provide assistance for the countries of Central America to support the activities described in section 213.

SEC. 213. ACTIVITIES SUPPORTED.

Activities that may be supported by assistance under section 212 include the following:

(1) COUNTERNARCOTICS, COUNTERTRAFFICKING, AND RELATED SECURITY.—

(A) ASSISTANCE OBJECTIVES.—To assist in the following:

(i) Investigation and collection of intelligence against illicit narcotics trafficking.

(ii) Combating illegal trafficking in arms.

(iii) Prevention of bulk currency smuggling.

(iv) Collection of information on crime and establishment of a regional database.

(B) ASSISTANCE.—Activities under subparagraph (A) may include—

(i) automated fingerprint identification systems (AFIS);

(ii) vetting sensitive investigative units to collaborate on counternarcotics at the federal, state, and local levels;

(iii) technical assistance to develop strong and effective financial crimes investigation units;

(iv) maritime security support, including refurbishing and procuring patrol boats;

(v) firearms interdiction training; and

(vi) illicit narcotics demand reduction programs.

(2) PUBLIC SECURITY AND LAW ENFORCEMENT.—To assist in building the capacity of the police in countries of Central America, supporting efforts to combat transnational gangs, investing in gang prevention and rehabilitation programs, and programs for the reintegration of deportees, including assistance such as—

(A) funding to continue the United States-Central American Integration System (SICA) Dialogue;

(B) youth gang prevention activities, including targeted education for at-risk youth, vocational training and funding of community centers in areas with high youth gang violence rates and other risk factors;

(C) programs to reintegrate deportees from the United States back into the societies of their home countries to avoid further criminal activity;

(D) transnational anti-gang initiatives;

(E) police professionalization, including—

(i) training regarding use of force;

(ii) human rights education and training;

(iii) training regarding evidence preservation and chain of custody; and

(iv) enhanced capacity to vet candidates;

(F) utilization of the International Law Enforcement Academy (ILEA) in El Salvador consistent with traditional respect for human rights and professional police practices;

(G) police training programs of the Organization of American States (OAS);

(H) police equipment, including communications equipment; and

(I) anti-domestic violence education programs and women's shelters.

SEC. 214. LIMITATION ON ASSISTANCE.

(a) LIMITATION.—No assistance may be provided under this subtitle to any unit of the armed forces of a country of Central America or any unit of the law enforcement agencies of a country of Central America if the Secretary of State determines that, consistent with section 620J of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d), there is credible evidence that such unit has committed gross violations of human rights.

(b) EXCEPTION.—The limitation in subsection (a) shall not apply if the Secretary of State determines and reports to the appropriate congressional committees that the government of the relevant country of Central America is taking effective measures to bring the responsible members of the unit of the armed forces or law enforcement agencies, as the case may be, to justice.

SEC. 215. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—To carry out this subtitle, there are authorized to be appropriated to the President \$60,000,000 for fiscal year 2008, \$80,000,000 for fiscal year 2009, and \$80,000,000 for fiscal year 2010.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are—

(1) authorized to remain available until expended; and

(2) in addition to funds otherwise available for such purposes, including funds under chapters 2 and 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2166 and 2291 et seq.).

(c) LIMITATION.—Of the amounts appropriated pursuant to the authorization of appropriations under subsection (a) for any fiscal year, at least \$15,000,000 should be made available to carry out section 213(2)(B).

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian Institutions

SEC. 221. AUTHORIZATION OF ASSISTANCE.

The President is authorized to provide assistance for the countries of Central America to support the activities described in section 222.

SEC. 222. ACTIVITIES SUPPORTED.

Activities that may be supported by assistance under section 221 include assistance in building the capacity, transparency, and trust in the justice system of the countries of Central America and reducing high impunity rates in the countries of Central America, including assistance such as—

(1) improved police academies and entry level training on crime investigations;

(2) courts management and prosecutor capacity building;

(3) witness and victim protection programs, including in Guatemala in coordination with the United Nations International Commission Against Impunity in Guatemala (CICIG);

(4) programs to enhance transparency in the procedures to designate and remove personnel in the recipient country's judicial system;

(5) prosecutor and judge protection programs, including in Guatemala and in coordination with the CICIG;

(6) short-term assignment of United States Government personnel to the CICIG to provide technical assistance for criminal investigations, specifically but not limited to investigations involving money laundering so long as this assignment does not negatively impact United States domestic operations;

(7) regional juvenile justice reform;

(8) prison management;

(9) programs to rehabilitate gang members released from prison, including job training; and

(10) community policing, including human rights and use of force training for community policing projects.

SEC. 223. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—To carry out this title, there are authorized to be appropriated to the President \$40,000,000 for fiscal year 2008, \$50,000,000 for fiscal year 2009, and \$95,000,000 for fiscal year 2010.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are—

(1) authorized to remain available until expended; and

(2) in addition to funds otherwise available for such purposes, including funds available under chapters 2 and 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2166 and 2291 et seq.).

TITLE III—ADMINISTRATIVE PROVISIONS

SEC. 301. CONDITIONS ON PROVISION OF ASSISTANCE.

(a) IN GENERAL.—The President may not provide assistance under title I or II to a foreign country for a fiscal year until the end of a 15-day period beginning on the date on which the President transmits to the appropriate congressional committees a determination that the requirements described in

subsection (b) have been met with respect to the government of such foreign country for such fiscal year.

(b) **REQUIRED DETERMINATION.**—The requirements referred to in subsection (a) are the following:

(1) The provision of assistance will not adversely affect the human rights situation in the foreign country.

(2) Vetting procedures are in place to ensure that members and units of the armed forces and law enforcement agencies of the foreign country that may receive assistance under title I or II have not been involved in human rights violations.

(3) The civilian authority in the foreign country is investigating and prosecuting any member of any government agency or entity receiving assistance under title I or II who has been credibly alleged to have committed human rights violations on or after the date of the enactment of this Act.

(4) Equipment and material provided as support is being used only by officials and employees of the government of the foreign country who have been approved by such government to perform counternarcotics activities, including on the basis of the background investigations by such government.

(5) The government of the foreign country has cooperated with the Secretary of State to ensure that—

(A) the equipment and material provided as support will be used only by the officials and employees referred to in paragraph (4);

(B) none of the equipment or material will be transferred (by sale, gift, or otherwise) to any person or entity not authorized by the United States to receive the equipment or material; and

(C) the equipment and material will, to the extent possible, be used for the purposes intended by the United States Government and will be utilized by those agencies for which such assistance is intended.

(6) The government of the foreign country has implemented, in consultation with the Secretary of State, a system that will provide an accounting and inventory of the equipment and material provided as support.

(7) The government of the foreign country will, along with United States personnel, conduct periodic observation and review of the use of the equipment and material provided as support under terms and conditions similar to the terms and conditions imposed with respect to such observation and review under section 505(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2314(a)(3)).

(8) To the extent the foreign country has received equipment in the past, it has utilized the equipment properly and in a manner that warrants additional provision of equipment or assistance.

SEC. 302. LIMITATIONS ON PROVISION OF ASSISTANCE.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) activities undertaken under titles I and II of this Act should be performed wherever possible by official employees, personnel, or officers of the federal, state, or local government of the recipient foreign country; and

(2) the United States should limit, to the maximum extent possible, the number of United States civilians and foreign nationals retained as contractors in a recipient country.

(b) **LIMITATIONS.**—Except as provided in subsection (c)—

(1) none of the funds made available to carry out title I may be available for the employment of any United States individual civilian retained as a contractor in Mexico or any foreign national retained as a contractor if that employment would cause the total number of individual civilian contractors employed in Mexico in support of the Merida

Initiative who are funded by United States funds to exceed 50;

(2) none of the funds made available to carry out title II may be available for the employment of any United States individual civilian retained as a contractor in a country of Central America or any foreign national retained as a contractor if that employment would cause the total number of individual civilian contractors employed in all countries of Central America in support of the Merida Initiative who are funded by United States funds to exceed 100; and

(3) none of the funds made available under this Act shall be made available for budget support or cash payments.

(c) **EXCEPTION.**—The limitations contained in subsection (b) shall not apply if the President determines that it is in the national interest of the United States that such limitations shall not apply and transmits to the appropriate congressional committees a notification thereof.

SEC. 303. LIMITATION ON MONITORING.

Beginning on October 1, 2009, no surveillance-related equipment may be transferred under this Act to any entity of Mexico or a country of Central America unless the President determines that the recipient country has cooperated with the United States to ensure that such equipment will be used principally for the purposes for which it is provided.

SEC. 304. EXEMPTION FROM PROHIBITION ON ASSISTANCE FOR LAW ENFORCEMENT FORCES.

Notwithstanding section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420; relating to the prohibition on assistance to foreign law enforcement forces), the President may provide assistance under title I or II if, at least 15 days before providing the assistance, the President notifies the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of the Foreign Assistance Act (22 U.S.C. 2394–1), that (1) it is in the national interest to provide such assistance, and (2) the recipient country is making significant progress to eliminating any human rights violations.

SEC. 305. RELATIONSHIP TO OTHER AUTHORITY.

(a) **ASSISTANCE UNDER TITLE I.**—The authority to provide assistance under title I is in addition to any other authority to provide assistance for Mexico.

(b) **ASSISTANCE UNDER TITLE II.**—The authority to provide assistance under title I is in addition to any other authority to provide assistance for the countries of Central America.

SEC. 306. RULE OF CONSTRUCTION.

Nothing in title I or II shall be construed to alter, modify, or otherwise affect the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) unless otherwise specified in this Act.

TITLE IV—SUPPORT ACTIVITIES IN THE UNITED STATES

SEC. 401. REPORT ON REDUCTION OF DRUG DEMAND IN THE UNITED STATES.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) supply-side drug reduction strategies when executed alone are not an effective way to fight the phenomenon of illegal narcotics;

(2) the Government of Mexico has identified reduction of United States drug demand as among the most important contributions the United States can make to a joint strategy to combat illicit narcotics trafficking; and

(3) the United States pledged in the United States-Mexico October 2007 Joint Statement

on the Merida Initiative, to “intensify its efforts to address all aspects of drug trafficking (including demand related portions)” here in the United States.

(b) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report on the measures taken to intensify United States efforts to address United States demand-related aspects of the drug-trafficking phenomenon in accordance with the Joint Statement on the Merida Initiative announced by the United States and Mexico on October 22, 2007.

SEC. 402. REDUCTION OF SOUTHBOUND FLOW OF ILLEGAL WEAPONS.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) much of the increased violence in Mexico is perpetrated using firearms and ammunition smuggled illegally from the United States into Mexico;

(2) the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has told Congress of an “iron river of guns” with thousands of weapons per week illegally crossing into Mexico from the United States;

(3) more than 90 percent of the guns confiscated yearly in Mexico originate in the United States and approximately 40 percent of the total trafficked weapons are linked to drug trafficking organizations;

(4) along the 2,000 mile border from Brownsville, Texas, to San Diego, California, there are 6,700 licensed gun sellers, but only 100 Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) special agents to investigate allegations of weapons trafficking and only 35 inspectors to ensure compliance with United States laws;

(5) on January 16, 2008, ATF announced that it will add 25 special agents and 15 inspectors to their Project Gunrunner along the Southwest Border. And, the ATF budget request for fiscal year 2009 includes funding for another 12 inspectors; and

(6) an effective strategy to combat these illegal arms flows is a critical part of a United States contribution to a jointly executed anti-narcotics strategy with Mexico.

(b) **PROJECT GUNRUNNER INITIATIVE.**—

(1) **IN GENERAL.**—The Attorney General shall, to the extent amounts are made available to carry out this subsection pursuant to paragraph (4), use such amounts for the Project Gunrunner initiative (hereafter in this subsection referred to as the “initiative”) of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to expand the resources provided to identify, investigate, and prosecute individuals involved in the trafficking of firearms across the United States-Mexico border.

(2) **ACTIVITIES.**—In carrying out paragraph (1), the Attorney General shall—

(A) assign additional agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to the area of the United States adjacent to the United States-Mexico border to support the expansion of the initiative;

(B) establish not fewer than 1 initiative team in each State along the United States-Mexico border; and

(C) coordinate with the heads of other relevant federal law enforcement agencies and State and local law enforcement agencies to address firearms trafficking in a comprehensive manner.

(3) **ADDITIONAL STAFF.**—The Attorney General may hire additional persons to be Bureau of Alcohol, Tobacco, Firearms, and Explosives agents for, and may use such other resources as may be necessary to adequately support, the initiative.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this subsection, there are authorized to be appropriated to the Attorney General \$15,000,000 for each of the fiscal years 2008 through 2010.

(c) **ENHANCED INTERNATIONAL COOPERATION.**—

(1) **IN GENERAL.**—In carrying out this subsection, the Attorney General, in cooperation with the Secretary of State, is authorized and encouraged, as appropriate, to—

(A) assign agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to the United States mission in Mexico, specifically in areas adjacent to the United States-Mexico border, to work with Mexican law enforcement agencies in conducting investigations relating to firearms trafficking and other criminal enterprises;

(B) provide the equipment and technological resources necessary to support investigations and to trace firearms recovered in Mexico; and

(C) support the training of vetted Mexican law enforcement officers in serial number restoration techniques and canine explosive detection.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this subsection, there are authorized to be appropriated to the Attorney General \$9,500,000 for each of the fiscal years 2008 through 2010.

SEC. 403. REDUCTION OF SOUTHBOUND FLOW OF ILLEGAL PRECURSOR CHEMICALS AND BULK-CASH TRANSFERS.

It is the sense of Congress that—

(1) a significant quantity of precursor chemicals used in the production of illegal narcotics flows south from the United States to Mexico;

(2) the Government of Mexico has identified reduction of southbound flows from the United States of precursor chemicals and bulk-cash transfers as a critical component of its anti-narcotics strategy; and

(3) an effective strategy to combat these illegal flows is a critical part of a United States contribution to a jointly executed anti-narcotics strategy with Mexico.

SEC. 404. REPORT.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report on the measures taken to combat the southbound flow of illegal precursor chemicals and bulk cash transfers into Mexico.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. COORDINATOR OF UNITED STATES GOVERNMENT ACTIVITIES TO IMPLEMENT THE MERIDA INITIATIVE.

(a) **DECLARATION OF POLICY.**—Congress declares that the Merida Initiative is a Department of State-led initiative which combines programs of numerous United States Government departments and agencies and therefore requires a single individual to coordinate and track all Merida-related efforts government-wide to help avoid duplication and facilitate accountability to Congress.

(b) **DESIGNATION OF HIGH-LEVEL COORDINATOR.**—

(1) **IN GENERAL.**—The President shall designate, within the Department of State, a Coordinator of United States Government Activities to Implement the Merida Initiative (hereafter in this section referred to as the “Coordinator”) who shall be responsible for—

(A) designing an overall strategy to advance the purposes of this Act;

(B) ensuring program and policy coordination among agencies of the United States Government in carrying out the policies in Mexico and Central America set forth in this Act;

(C) ensuring that efforts of the United States Government under this Act in Mexico

and Central America are in full consonance with the efforts of the Government of Mexico and the governments of Central America in implementing the Merida Initiative;

(D) tracking all United States Government assistance which fulfills the goals of the Merida Initiative or is closely related to the goals of the Merida Initiative, including information required under section 620J of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) with respect to Mexico and the countries of Central America;

(E) coordinating among agencies of the United States Government on all United States assistance to Mexico and the countries of Central America, including assistance from other relevant government agencies, which fulfills the goals of the Merida Initiative to avoid duplication or conflict among programs; and

(F) consulting with the Attorney General with respect to the activities of Federal, State, and local law enforcement authorities in the United States related to the goals of the Merida Initiative, particularly along the United States-Mexico border.

(2) **RANK AND STATUS OF THE COORDINATOR.**—The Coordinator shall have the rank and status of ambassador.

SEC. 502. METRICS AND OVERSIGHT MECHANISMS.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) to successfully support building the capacity of recipient countries' civilian security institutions, enhance the rule of law in recipient countries, and ensure the protection of human rights, the President should establish metrics and oversight mechanisms to track the effectiveness of activities undertaken pursuant to this Act;

(2) long-term solutions to Mexico and Central America's security problems depend on strengthening and holding accountable civilian institutions;

(3) it is difficult to assess the impact of United States assistance towards these goals absent specific oversight and monitoring mechanisms; and

(4) the President, in developing metrics, should consult with Congress as well as the Government of Mexico and the Central American Integration System (SICA).

(b) **REQUIREMENT.**—The President shall develop metrics to identify, track, and manage the progress of activities authorized pursuant to this Act and use these metrics to determine the allocation of resources for such activities.

(c) **INITIAL REPORT.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report that specifies metrics of achievement for each activity to be undertaken under this Act.

(2) **CONTENTS OF REPORT.**—The report shall be divided into two sections, the first addressing those activities undertaken pursuant to subtitle A of title I and subtitle A of title II, and the second addressing those activities undertaken pursuant to subtitle B of title I and subtitle B of title II. Metrics may include the following:

(A) Indicators on long-term effectiveness of the equipment and training provided to Mexican and Central American security institutions.

(B) Statistics of counter narcotics-related arrests.

(C) Number of interdictions of drug shipments.

(D) Specific progress on police reform.

(E) Counternarcotics-related arrests.

(F) Quantification of reduction of supply of illicit narcotics into the United States.

(G) Cross-utilization, if any, of equipment among the armed forces and law enforcement entities.

(H) Increased school attendance rates.

(I) Attendance in primary prevention programs

(J) The level of cooperation among United States, Mexican, and Central American law enforcement agencies.

SEC. 503. REPORT.

(a) **IN GENERAL.**—The President shall transmit to the appropriate congressional committees a report concerning the programs and activities carried out under this Act during the preceding fiscal year. The first report shall be transmitted not later than 180 days after the date of the enactment of this Act and subsequent reports shall be transmitted not later than October 31 of each year thereafter.

(b) **MATTERS TO BE INCLUDED.**—The report required under subsection (a) shall include the following:

(1) **METRICS.**—A general description of the progress in stabilizing the security situation in each recipient country as well as combating trafficking and building its capacity based on the metrics developed under section 502.

(2) **COORDINATION.**—Efforts of the United States Government to coordinate its activities pursuant to section 501, including—

(A) a description of all counternarcotics and organized crime assistance provided to recipient countries in the previous fiscal year;

(B) an assessment of how such assistance was coordinated; and

(C) recommendations for improving coordination.

(3) **TRANSFER OF EQUIPMENT.**—A description of the transfer of equipment, including—

(A) a description of the progress of each recipient country toward the transfer of equipment, if any, from its armed forces to law enforcement agencies;

(B) a list of organizations that have used the air assets provided to the government of each recipient country, and, to the extent possible, a detailed description of those agencies that have utilized the air assets, including a breakdown of the percentage of use by each agency; and

(C) a description of training of law enforcement agencies to operate equipment, including air assets.

(4) **HUMAN RIGHTS.**—Consistent with sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) and section 504 of the Trade Act of 1974 (19 U.S.C. 2464), an assessment of the human rights impact of the equipment and training provided under this Act, including—

(A) a list of accusations of serious human rights abuses committed by the armed forces and law enforcement agencies of recipient countries from the date of enactment of this Act; and

(B) a description of efforts by the government of recipient countries to investigate and prosecute allegations of abuses of human rights committed by any agency of the recipient countries.

(5) **EFFECTIVENESS OF EQUIPMENT.**—An assessment on the long-term effectiveness of the equipment and maintenance packages and training provided to each recipient country's security institutions.

(6) **MEXICO PUBLIC SECURITY STRATEGY.**—A description of Mexico's development of a public security strategy, including—

(A) an update on the effectiveness of the Mexican federal Registry of Police Personnel to vet police recruiting at the National, state, and municipal levels to prevent rehiring from one force to the next after dismissal for corruption and other reasons; and

(B) an assessment of how the Merida Initiative complements and supports the Mexican Government's own public security strategy.

(7) FLOW OF ILLEGAL ARMS.—A description of efforts to reduce the southbound flow of illegal arms.

(8) USE OF CONTRACTORS.—A detailed description of contracts awarded to private companies to carry out provisions of this Act, including—

(A) a description of the number of United States and foreign national civilian contractors awarded contracts;

(B) a list of the total dollar value of the contracts; and

(C) the purposes of the contracts.

(9) CENTRAL AMERICAN REGIONAL SECURITY PLAN.—A description of implementation by the countries of Central America of the Central American Regional Security Plan, including an assessment of how the Merida Initiative complements and supports the Central American Regional Security Plan.

(10) PHASE OUT OF LAW ENFORCEMENT ACTIVITIES.—A description of the progress of phasing out law enforcement activities of the armed forces of each recipient country.

(11) DISPLACEMENT AND DIVERSION OF DRUG TRAFFICKING PATTERNS.—A description of any displacement effect and diversion of drug trafficking patterns from Mexico and the countries of Central America to other routes, including through potentially vulnerable Caribbean countries.

(12) IMPACT ON BORDER VIOLENCE AND SECURITY.—A description of the impact that activities authorized under this Act have had on violence against United States and Mexican border personnel and the extent to which these activities have increased the protection and security of the United States-Mexico border.

SEC. 504. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States Government requires an effective public diplomacy strategy to explain the purposes of the Merida Initiative; and

(2) to the extent practicable, the Secretary of State, in coordination with other relevant heads of agencies, shall design and implement a public diplomacy campaign regionally regarding the Merida Initiative.

SEC. 505. SUNSET.

The authority of this Act shall expire after September 30, 2010.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROSELEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. BERMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Madam Speaker, I rise in strong support of this bill and yield myself as much time as I may consume.

Madam Speaker, the drug crisis facing the United States remains a top national security threat. The GAO states that 90 percent of illegal drugs entering

our country transit the Central American-Mexican corridor.

Drug gangs that operate in the United States, Mexico, and Central America are dangerously undermining the security environment for our neighbors to the south, and the spillover effects on our own soil are undeniable.

President Calderon of Mexico made a brave decision early in his presidency to fight illegal narcotics in a way that no Mexican government had done before, and he and his countrymen have paid a high price for it. Drug cartels have been blamed for 6,000 deaths in two-and-a-half years in Mexico alone, 4,000 of them in the year-and-a-half since Mr. Calderon assumed the presidency.

A significant percentage of these deaths are law enforcement personnel, outgunned and outspent from the proceeds of illegal drugs. There seems to be no limit to the brazenness of the drug gangs. A month ago, the chief of Mexico's Federal police was shot dead in his own home.

It is high time for the United States to do more than applaud President Calderon's courage. We must work together to tackle this difficult problem.

President Bush and President Calderon met in the Mexican city of Merida last year to craft a new and innovative proposal to confront this scourge. That proposal is largely reflected in the legislation we have before us today.

The central tenet of this bill is that, while the violence must stop and security must be restored, the ultimate solution to this problem lies in respect for the rule of law and the strength of institutions charged with upholding it.

□ 1145

H.R. 6028 represents the U.S. implementation of a new partnership with Mexico and Central American countries to face the immediate security threat of drug gangs, help these neighbors build the capacity of their law enforcement agencies, and enhance the rule of law in the region.

As many of my colleagues know, the supplemental appropriations bill includes funding for year one of the Merida Initiative, but the legislation before us today authorizes the full 3 years of this plan in an exhaustive and complete manner necessary to undertake this critical partnership with our southern neighbors.

For example, this legislation authorizes \$1.6 billion over 3 years in the areas of counter-narcotics, the fight against organized crime, law enforcement modernization, institution building, and rule of law support.

Mexico has requested that the U.S. provide certain high-tech equipment. And in this bill we authorize transport helicopters with night operating capabilities, aerial and radar surveillance equipment, land and maritime interdiction equipment, and secure communication networks.

This legislation supports a variety of programs designed to enhance the transparency and capacity of civilian institutions at the Federal, State and local level. They include assistance in courts management, prison reform, money laundering capabilities, witness protection, and police professionalization. The latter emphasizes human rights and use of force training, as well as forensics and polygraph capabilities.

In the realm of prevention, the bill supports programs to increase school attendance and expansion of intervention programs. It also seeks to promote development in areas where joblessness feeds the narcotics problem, including alternative livelihood and rural development efforts.

It concentrates considerable funding in the fragile Central America region, as well as in Haiti and the Dominican Republic, in programs tailored to that region's specific needs.

The legislation contains significant human rights safeguards as well as end-use monitoring provisions for equipment and training. It provides no cash transfers.

It calls on the President to devise standards up front that will be used to measure the success of the initiative, and to regularly report to Congress on progress made toward meeting these standards.

Significantly, because this was a specific request from our Mexican neighbors, the legislation bolsters by \$73.5 million America's efforts to stem the illegal flow of arms going south by significantly expanding ATF's Project Gun Runner.

Finally, the bill establishes a coordinator for the initiative to provide accountability and harmonize its wide-ranging programs.

Perhaps most importantly the legislation recognizes that the spread of illicit drugs through Mexico and Central America and into the United States, as well as the violence that accompanies it, cannot be halted without a comprehensive interdiction and security strategy planned and executed jointly with our southern neighbors. Madam Speaker, with this authorization of the Merida Initiative we demonstrate our Nation's commitment to work closely with our friends and neighbors to the south in a meaningful and long-term fashion to battle illegal narcotics.

I strongly urge all my colleagues to support this legislation.

Madam Speaker, I reserve the balance of my time.

Ms. ROSELEHTINEN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise as a proud cosponsor of the Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008.

Based on co-responsibility and cooperation, the Merida Initiative creates an invaluable partnership between the United States, Mexico, the rest of

Central America, Haiti, and the Dominican Republic to work together to fight illicit drugs and organized crime. It is a historic opportunity, an essential collaboration between all of our countries to present a united front against the drug cartels and the gangs who callously threaten the safety and future of our communities every day.

The growing operational and financial capabilities of these groups pose a clear and present threat to the lives and well-being of our citizens. By supporting this authorization, we are supporting the goals of the Merida Initiative to confront these dangers. Furthermore, we are supporting the goals of our friends in Mexico, Central America, Haiti and the Dominican Republic to combat these dangers as well.

The Merida Initiative, as considered under this authorization, is a comprehensive program focused on strengthening democratic institutions, on bolstering law enforcement capabilities, on supporting local communities, and on promoting human rights at all levels of the Initiative's implementation.

For years, drug traffickers and organized crime have used a regional strategy to carry out their illicit activities. Now, under the Merida Initiative, we have a chance for our governments to join forces and match this transnational approach. In Mexico, President Calderon has deployed nearly 30,000 soldiers and federal police to the country's most dangerous drug trafficking hotspots.

In Guatemala, the government has announced plans to send hundreds of troops, elite presidential guards and antidrug police to its northern border to stem the growing violence.

In the United States, our law enforcement agents have been met with increasing hostile actions while working to preserve the security of our borders.

The Merida Initiative enables us to combine all of these efforts to capitalize on all of our strength and confront narcotraffickers and organized crime with the same determination that they so vigorously employ to wreak havoc on our communities.

I was pleased to see that both the House and Senate versions of the supplemental included funding to support the Merida Initiative. I am hopeful that the conferees will look at this bill for direction when determining the final face of the Merida Initiative. I believe that it offers an effective guide for ensuring U.S. interest, while respecting our partners' sovereignty.

For too long, narcotraffickers and organized crime have run free, plaguing the prosperity of our region. By supporting the Merida Initiative, we are making the way for democracy and for development to take hold, and addressing the precursor conditions that help breed instability in the region, and that help create fertile territory even for Islamic extremist recruitment.

Madam Speaker, again I rise in full support of this initiative, and I look

forwarding to helping to enhance our Nation's security by fighting and overcoming these daily threats.

Madam Speaker, I reserve the balance of my time.

Mr. BERMAN. Madam Speaker, I greatly appreciate the gentlelady's strong comments on this bill.

I yield 4 minutes to the chairman of the Foreign Affairs Subcommittee on Western Hemisphere Affairs, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Madam Speaker, I rise today in strong support of H.R. 6028. And I would like to commend Chairman BERMAN for his leadership on this important legislation that authorizes full funding for the Merida Initiative.

In my subcommittee, as Chair, we held three hearings on the Merida Initiative, so we've covered it really quite extensively. And I'm more convinced than ever that this is such an important bill and such an important proposal.

Recent events in Mexico make the Merida Initiative more crucial than ever. Just last month, the chief of the Mexican federal police was brutally murdered at his home. Shortly thereafter, the deputy police chief of Ciudad Juarez, a city smack on the border with the United States, was shot dead.

The narcoviolence in Mexico is not only undermining the safety and security of our friends to the south, but it is fueling the drug trade and violence here in the United States.

As Western Hemisphere Subcommittee chairman, I worked with Chairman BERMAN in developing this legislation and was pleased to contribute two key parts. First, the Central American piece of this legislation authorizes a much greater amount of assistance for the subregion than the Bush administration proposed. The initial \$50 million for Central America was really a drop in the bucket when you look at the whole thing and the needs that are necessary, especially considering that 90 percent of the cocaine shipped from the Andes to the U.S. flows right through Central America.

H.R. 6028 sets aside at least \$15 million per year for youth gang prevention programs. That was something that I care very much about as well. With approximately 70,000 gang members in Central America, and the transnational connections linking gang members there to the United States, this is a vast improvement over the administration's proposal. I hope we have learned by now that failing to adequately invest in prevention programs will only hurt us in the future.

I was also pleased to work with the chairman on a provision in H.R. 6028 which establishes a Merida coordinator at the State Department. My staff and I have too often been frustrated by the inability to obtain information on Merida activities or to figure out who was responsible for what, and what would fall under Merida. The Merida coordinator will keep track of all U.S.

government assistance, which fulfills the goals of the Merida Initiative.

Madam Speaker, the Merida Initiative is moving on two legislative tracks; this authorization bill, and the supplemental appropriations bill. I understand that the Mexican Government has expressed concerns with certain language in the Senate supplemental proposal. It is my hope that the final product will include important human rights provisions while respecting Mexican sovereignty and the spirit of partnership in which the Merida Initiative was designed. Our relationship with our neighbors to the south is very important, and we need to work with them in a collaborative way and in a partnership.

Mr. Chairman, I thank you again for your leadership on this important legislation and your commitment to the governments and people of Central America and Mexico.

I urge my colleagues to support this crucial legislation. And I want to again say that it's important not only to have funds in there and language in there for Mexico, but for Central America, Haiti and the Dominican Republic as well.

It's also important that we look at the whole situation of guns. Guns that are manufactured in the United States are smuggled over the border, and 90 percent of the guns that are collected come from the United States. And they fuel narcotrafficking, they fuel violence, they fuel the drug trade, and we need to do something about that. So I am pleased that my provision, the Southwest Border Violence Reduction Act, was incorporated into this language to look at this problem, to deal with this problem, and understanding that what we do in the United States goes hand in hand with what happens south of our border as well.

So again, Mr. Chairman, I thank you. I thank the ranking member, with whom I've collaborated on so many things through the years.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Ohio (Mr. CHABOT). He is an esteemed member of our Committee on Foreign Affairs.

Mr. CHABOT. I thank the gentlelady for yielding.

Mr. Speaker, I'll be brief. Let me just start by saying that I appreciate both the chairman's and the ranking member's work on this critical issue. Drugs and cartels and the violence and terror that they bring not only undermine public safety but threaten our security as a Nation. We need to work cooperatively with those nations that are on the front lines of this drug war that we've been involved in for such a long time.

However, I want to mention one fact that I think is very important. Last summer, news reports highlighted the unwillingness of the Mexican Government to work with the U.S. to resolve a mile and a half boundary dispute near Columbus, New Mexico. Because

of a mapping error, the fence that we're building was constructed on Mexican land. Although the U.S. government promptly notified the Mexican Government of the error, the Mexican Government demands that the mistake be corrected at a cost of \$3 million to the United States; this, despite the fact that the previously existing boundary had never been in dispute prior to notification by the U.S., and the fact that the U.S. has provided more than \$270 million in aid to Mexico between 2004 and 2007, including more than \$140 million for counter-narcotics and law enforcement.

Today, we are authorizing funding for an additional \$1.6 billion over 3 years. Last July, I introduced House Resolution 545, which states that it is the sense of this Congress that if Mexico doesn't work together to resolve this boundary dispute, U.S. assistance to Mexico should be reduced in a corresponding amount; in other words, \$3 million. If it is costing the taxpayers of this country \$3 million to do this, which was previously an undisputed border area, it seems like it ought to come out of their money and not ours, since we were the ones that brought it to their attention to begin with.

□ 1200

Now, some people up here in Washington may think that \$3 million isn't a lot of money. Well I can tell you it is a lot of money to the folks back in my district and districts all over this country, particularly when you figure that we are spending approximately \$4 a gallon for gas nowadays. So it is a lot of money and ought to be taken seriously.

If the U.S. and Mexico are truly partners, and we claim to be, and they claim to be, we should be working together in all areas, including the construction of this fence. We ought to be working cooperatively in this matter. And it plays a key role in our international interdiction efforts, not to mention the border security.

So this \$3 million, if we are going to have to go back and rebuild this because of this good faith error, I believe that ought to be taken out of the U.S. aid which is going in their direction, and not from the U.S. taxpayer.

Mr. BERMAN. Mr. Speaker, I yield myself 1 minute of time if I may.

The gentleman from Ohio raises an issue of controversy between the United States and Mexico. What I urge the Members of this body to do is to focus on the purpose of this initiative. This is an initiative that is in America's deep national interest. The whole issue of illicit narcotics trade, the role of the corridor between Central America and Mexico in contributing and supplying these illicit narcotics, the war going on in Mexico between the drug cartels, and a president and a leadership that is now taking this head on serves our national interests. Our effort to stem illegal immigration is directly connected, and the effective-

ness of it will be greatly dependent on our ability to stop these cartels and to smash this trade in illicit narcotics.

Whatever one's concern is about a particular aspect of the U.S.-Mexican relationship, I would suggest from America's interest point of view that this issue, this initiative, is a compelling one and should be supported.

I am now pleased to yield 3 minutes to chairman of the Homeland Security Subcommittee on Transportation Security and Infrastructure Protection and a member of the Committee on Foreign Affairs, Ms. SHEILA JACKSON-LEE of Texas.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Let me associate myself with the words of our chairman. This is in the interests of the American people. I thank Chairman BERMAN for introducing this legislation and the ranking member, as well, for the collaboration that our committee, the Foreign Affairs Committee, always engages in.

I think it is important to note that this is an initiative that was entered into by the United States and Mexico that announced a multiyear, \$1.4 billion plan to use U.S. assistance to combat drug trafficking and other criminal organization activities. This has been labeled the "Merida Initiative," and the administration has requested \$500 million.

Some would ask why? Because we are at a crisis. And I come from the State of Texas. There is bloodshed on the border. The violence is enormous. The wars between drug cartels have caused some 1,800 to 1,900 deaths to Mexicans in the first 9 months of 2007. And it is attributable to the cartel-related violence. More than 60 American citizens have been kidnapped in Nuevo Laredo, a Mexican town directly across the border from the city of Laredo, a fine, wonderful city. And the mayors of those cities have come and asked for relief. But unfortunately, it hasn't been listened to in the way that I believe it could be. Recognizing that the violence or the cause is not Laredo or the border towns as much as it is the violence that is now spilling over.

So I hope as we move forward in our initiative it will have a number of elements to it, and certainly one of the elements has to be the war against drugs here in the United States. It is important to note that Mexico is, in fact, the main foreign supply of marijuana and meth, and as well even though there is a small production of heroin, interestingly enough, they are a large producer of the heroin supply here in United States.

And for this reason, there needs to be a number of collaborations. I disagree, for example, with the Secretary of Homeland Security, who says that we can't put the virtual fence at the border because he realizes that we are being conflicted by the questions of a barrier fence, reasonably so, because

we are used to the ingress and egress of trade in that area. And so I hope this initiative will have a balance and recognize that we have to look at many options to secure the border.

I want to also make mention of the fact that I am a member of the Homeland Security Committee and will hope, as this legislation moves forward, that we will have a collaboration with the Department of Homeland Security with this effort. You cannot make this work unless DHS is involved.

And I was prepared to offer an amendment that dealt with assessing the role of the relevant United States Government departments and agencies, including the Department of Homeland Security, in supporting the Merida Initiative, providing specific information on what staff, equipment and other resources the relevant United States Government departments and agencies, including the Department of Homeland Security would need to support this initiative, and assessing the impact of the initiative on the border security operations of the relevant United States Government departments and agencies.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. BERMAN. I yield the gentlelady 1 additional minute.

Ms. JACKSON-LEE of Texas. I thank the chairman.

Assessing the impact of the Merida Initiative on the border security operations of the relevant United States Government departments and agencies, including the Department of Homeland Security, and identify additional resources, if any, that the relevant United States Government departments and agencies, including the Department of Homeland Security, need to make available to carry out this initiative.

I recall specifically as a member of the Subcommittee on Border Security writing legislation and the ranking member on the Immigration Subcommittee in our past Congresses on providing more resources for our Border Patrol. It was interesting that the administration was always voicing their leadership on the idea of border security, and our Border Patrol agents were suffering. There were not enough. They didn't have the kind of speedboats, night goggles and computers. Now you see it is like night and day because of legislation carried by members of the Democratic Caucus.

And so it is important that as we go forward we find a collaboration of the Department of Homeland Security because human trafficking and drug trafficking are intertwined. The violation of the borders is intertwined with all we are doing here, and we need to have a collaboration with the Department of Homeland Security. I support this initiative, and I know it can be expanded.

I rise today in cautious support of H.R. 6028, the "Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Act of 2008." I would like to thank my colleague

Congressman BERMAN for introducing this legislation, as well as for his ongoing leadership as Chairman of the Committee on Foreign Affairs. While I do support this bill, I am extremely disappointed in the manner in which it was brought to the floor today. Like many Members, I have outstanding concerns about this legislation that have not yet been addressed, and I believe Members should have been given the opportunity to offer amendments to this important and far-reaching bill. I remain concerned about human rights in the region and I believe that the United States must do far more to address the demand for drugs in the United States, but I also believe that this legislation represents a positive step toward partnering with our southern neighbors to combat a problem that we share.

Mr. Speaker, I had planned to introduce an amendment to this legislation that will require the President to submit a report

(1) assessing the role of the relevant United States Government departments and agencies, including the Department of Homeland Security, in supporting the Merida Initiative;

(2) providing specific information on what staffing, equipment, and other resources the relevant United States Government departments and agencies, including the Department of Homeland Security, have provided for the Merida Initiative;

(3) assessing the impact of the Merida Initiative on the border security operations of the relevant United States Government departments and agencies, including the Department of Homeland Security; and

(4) identifying additional resources, if any, that the relevant United States Government departments and agencies, including the Department of Homeland Security, need to make available to carry out the Merida Initiative.

As a senior Member of the Committee on Homeland Security, I am cognizant of the fact that the Department of Homeland Security will play a major role in the implementation of the Merida Initiative. Among other things, Customs and Border Patrol will be involved in the procurement and training of non-intrusive inspection equipment (scanners, x-ray vans) and rescue and communications equipment, and Immigration and Customs Enforcement will be involved in modernizing Mexico's immigration database and the training of vetted units focused on anti-gang and anti-money laundering.

In short, Mr. Speaker, the Merida Initiative will not be complete or successful without the cooperation of the Department of Homeland Security and the dedication of its brave men and women. The report required by my Amendment would have made sure Congress knows what resources DHS is contributing to the Merida Initiative and whether more are needed. It would also have let Congress know how the Merida Initiative is affecting DHS's ability to carry out its other missions, including border security. As we continue to fight criminal syndicates and terrorism organizations around the world, we must ensure that there is accountability for our precious resources and that we are not losing focus of the needs at home. I am extremely disappointed that this legislation has been brought up under suspension, as I believe that my amendment would have improved the legislation.

On October 22, the United States and Mexico, in a joint statement, announced a multi-year, \$1.4 billion plan to use U.S. assistance

to combat drug trafficking and other criminal organizations. As part of this plan, known as the Mérida Initiative, the Administration has requested \$500 million for Mexico and \$50 million for Central America in the FY 2008 Supplemental Appropriations. Since March 2007, when Presidents George W. Bush and Felipe Calderon met in Mérida, officials of both governments, without the input of the legislative branch of either country, have been working on an initiative to expand bilateral and regional cooperation, in order to combat organized crime and criminal gangs in the region.

Mexico has, in recent years, experienced an increase in drug violence. Much of the recent violence has been attributed to turf wars between drug cartels, with between 1,800 and 1,900 deaths of Mexicans in the first nine months of 2007 alone being attributed to cartel-related violence. More than 60 American citizens have been kidnapped in Nuevo Laredo, a Mexican town directly across the border from the city of Laredo, in my own state of Texas. Some of this violence is reportedly spilling over the border into the United States.

Spill-over violence and attacks on Americans are not the only reasons Mexico's drug trade is of intimate interest to the United States. Mexico is the main foreign supplier of marijuana and a major supplier of methamphetamine to the United States, and, though it produces only a small share of global heroin production, it produces a sizeable proportion of the heroin distributed in the United States. In addition to production of drugs, Mexico is also a major transit country. According to State Department estimates, 90% of the cocaine entering the United States transits through Mexico.

With the demise of powerful cartels in Colombia, Mexican drug cartels have recently become increasingly significant. According to the National Drug Intelligence Center, Mexican cartels now dominate the illicit U.S. drug market, using "well-established overland transportation networks to transport cocaine, marijuana, methamphetamine, and heroin—Mexican and increasingly South American—to drug markets throughout the country." Though Colombian groups retain a significant share of smuggling and distribution operations in the United States, the operations of Mexican groups continue to account for an increasingly large percentage of the market.

Recent years have indicated that much more needs to be done to address issues of drug production and trafficking in Mexico. While I certainly agree that the Mérida Initiative represents an important and much needed effort, I am extremely disappointed that neither members of the U.S. nor the Mexican congress were included in the discussion process. In addition, I have significant concerns about the initiative itself, and I believe there are many outstanding issues that remain to be addressed.

Mr. Speaker, I do not believe we can address the problem of drug trafficking by combating the supply side alone. This legislation does require the President to submit a report on efforts to reduce demand in the United States, and I believe that this language is extremely important, acknowledging that this is not just a foreign issue. I would like to see this Congress take a more active role in reducing the prevalence of drug use and addiction in our own communities, in conjunction with working to eliminate the flow of drugs across our borders.

Mr. Speaker, it is essential that this Committee stay engaged with this program after it is implemented, particularly monitoring its effects on human rights. U.S. dollars absolutely should not be going to fund abuses; they should be used to build a culture of respect for fundamental human rights. To this end, I am pleased that this legislation states that one of the purposes of this initiative is to "strengthen respect for internationally recognized human rights and the rule of law in efforts to stabilize the security environment relating to the illicit narcotics production and trafficking and organized crime." Further, this legislation restricts funding to any units known to commit gross violations of human rights, provides assistance for human rights training in relevant law enforcement units, and, perhaps most crucially, requires the President to report to Congress on the human rights impact of the equipment and training provided in this bill. Mr. Speaker, this language is important, but alone it is not enough, and I fully expect that this committee will remain engaged in this important issue following the implementation of this program.

Mr. Speaker, despite my outstanding concerns and my disappointment over the manner in which this legislation was brought before us today, I do believe that this legislation will strengthen the bonds of cooperation with our southern neighbors on an important issue in which we all share a stake. I urge my colleagues to join me in supporting this legislation.

Ms. ROS-LEHTINEN. Mr. Speaker, at this time, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. MCCAUL) who is also an esteemed member of the Committee on Foreign Affairs.

Mr. MCCAUL of Texas. I thank the gentlelady from Florida.

Mr. Speaker, let me say first that I support a military strategy to deal with the drug cartels. Having come from Texas, having worked counterterrorism with the Justice Department at the Mexican border, I know firsthand what a direct threat to the security of this Nation these drug cartels present. They export drugs. They poison our children. They export human trafficking. They bring special interest aliens into this country, some of whom are not caught. And in the post-9/11 world, they present a threat that we can no longer ignore. And they must be dealt with. That is why I have been supportive of this initiative.

However, I believe that we need a strategy on this side of the border, as well. I believe we need a two-pronged approach, if you will, a comprehensive strategy that deals not only with the Mexican side but with the U.S. side. And for too long, our border sheriffs and our Border Patrol agents have been outmanned and outgunned. And if we are going to provide assistance to Mexico, it seems to me we ought to be providing assistance to our men and women on our side fighting this war every day.

I had a unique opportunity to meet with President Calderon. He told me that he is at war with the drug cartels. He is at war with these drug cartels. And we need to fight this war against the drug cartels.

And I believe the best way to do that is provide the military assistance, but also provide the resources necessary on this side of our border, which is why I offered an amendment at the foreign affairs markup of this bill to provide \$1.4 billion, an equal amount, if you will, over 3 years for our Federal, State and local law enforcement, including the border sheriffs. And Chairman BERMAN was supportive of this amendment. The chairman sits on the Judiciary Committee. It was my sincere hope that this amendment would have been taken up by the Judiciary Committee when they marked up this bill, as well.

Unfortunately, that didn't happen. And the Judiciary Committee decided not to take up this bill. In addition, instead of having an open rule whereby it could offer this amendment on the floor, we have a closed rule, and this vote is now under suspension. I believe this is a missed opportunity. I believe it is a missed opportunity to have a really comprehensive bill that could have had strong bipartisan support, that had the approach and the strategy that I just outlined, a military strategy on the Mexican side of the border, and a beefed up law enforcement on this side of the border. That is how we are going to achieve true border security in this Nation. So I just wanted to present that objection.

It is my sincere hope we can fix this and add this amendment at some point in the process to give our law enforcement on this side of the border the tools that they need, also, to win this war against the drug cartels.

Mr. BERMAN. Mr. Speaker, I reserve my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. POE), an esteemed member of the Foreign Affairs Committee.

Mr. POE. I thank the gentlelady for yielding.

Mr. Speaker, I appreciate the work that the chairman and the ranking member have done on this initiative. However, I rise in opposition to this legislation before the House. As a former prosecutor and longtime judge in Texas, I am concerned about drugs and violence on the border, but I am also concerned about corruption.

According to the DEA, 500 people were murdered in Nuevo Laredo in 2005. None of those cases was solved. Many of those murdered were police officers. There have been 400 kidnappings in Nuevo Laredo. Forty-one of them were American citizens. None of them have been solved.

I doubt if anyone would be surprised to find out that the drug cartels are to blame for most of the violence on the border. What you might be surprised to learn is that U.S.-trained Mexican forces are behind some of the attacks. The Department of Homeland Security has reported that in the last 10 years, there have been over 250 incursions by suspected Mexican military units into the United States.

In order to gain control of access corridors in the United States, drug cartels are hiring hit men from an elite force in Mexico's military. This group is known as the "Zetas." It has been reported that some of the Zetas are military deserters that may have been trained in the United States at the former School of the Americas in Fort Benning, Georgia. Reports claim that these forces were sent by the Mexican Government to the United States-Mexico border to combat drug trafficking. Instead, some of them deserted and became assassins for the Mexican drug cartels. Officials suspect that there are more than 200 Zetas. Between January and September of last year, nearly 5,000 Mexican soldiers deserted. Many of them went to work for the drug cartels because they pay more money.

The bill before the House today would authorize \$1.5 billion in money, training and equipment over the next 5 years to Mexico. Most of that amount, more than \$1 billion, would go, as I said, to Mexico. And Mexico in its arrogance objects to any conditions we want to put on this money. The administration can offer us no assurance that our equipment and training won't be used against us and neither can Mexico.

These forces are violent. They kill people and are a danger to the enforcement of our border, especially to our sheriffs. We've tried to work with Mexico in the past to stop drug trafficking. Every new president talks about how they are going to stop the drug trade, but it never has worked. Why should we send \$1 billion to Mexico when we have no idea whether the goods we send will end up in the hands of corrupt Mexican officials and be used against us? Rather than sending all this money and equipment to Mexico and the lawless Mexican officials at the border, we ought to be equipping United States border sheriffs who can use this equipment to protect our homeland. We need to keep our money on this side of the border where we need it and where we can keep up with it.

And that's just the way it is.

Mr. BERMAN. Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I am proud to yield 3 minutes to the gentleman from Illinois (Mr. WELLER), a member of the Committee on Ways and Means. We will miss him greatly when he retires.

Mr. WELLER. Mr. Speaker, I rise in support of this important initiative, the Merida Initiative, to combat illicit narcotics and reduce organized crime authorization legislation. I commend Chairman BERMAN, Chairman ENGEL and Ranking Member ROS-LEHTINEN for their work in putting together bipartisan legislation that implements not only a bipartisan agreement but also an international agreement with our neighbor and our neighbors to the south.

Ladies and gentlemen, think of it in these terms, if in the last few months

the director of the FBI had been assassinated by narcotraffickers, think about it if the head of the Drug Enforcement Administration had been assassinated by narcotraffickers, think about it if dozens of police chiefs were shot down in the streets and murdered in their homes in front of their families, how would we as Americans react?

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Would we ask for help and want every resource we could put in place to go after those who committed those horrible crimes?

Ladies and gentlemen, in Mexico, our friend, our ally, our partner in so many ways, that has been occurring, where the head of their counternarcotics program was assassinated, where police chiefs are being shot down, where the narcotraffickers have been so brazen they have publicly posted signs listing police officers and police chiefs that they intend to target for assassination, and at the same time, saying "come join us. We will pay you better if you are in law enforcement today. Switch sides. You will be paid more."

Well, today we have a President in Mexico, President Calderon, who decided to take the fight to the narcotraffickers. He has deployed 30,000 Mexican troops against narcotraffickers throughout Mexico, for the first time, and they have asked for our help. Both our friends in Mexico and our friends in Central America have asked our help with this fight.

That is why this legislation is important, because we have an obligation to help our neighbors; because by stopping the flow of drugs it affects other issues, policy concerns many of us have talked about. Number one is the flow of drugs into our country. And if you care about illegal immigration, if that has been a point you have debated on this floor, you argued we have got to do something about illegal immigration, well, frankly, safe streets and communities in Mexico and Central America are vital to ensuring that families and their children feel safe in their own communities, rather than having to leave for the United States illegally for a safe place to live.

And if you if you care about the arguments that many have made that narcotraffickers are crossing our borders and the Mexicans need to do more, well, they are. Again, 30,000 Mexican troops have been deployed against the narcotraffickers. Unfortunately, in many cases narcotraffickers are equally or better armed than the Mexican military.

That is why this legislation is needed. That is why this legislation needs bipartisan support. I urge bipartisan support.

Mr. BERMAN. Mr. Speaker, I continue to reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, FDR made a statement about why he was giving aid to England to fight Nazi Germany, and that statement was, when your neighbor's home is burning, only a fool would not let them borrow your hose to put out the fire.

Well, Mr. Speaker, our border is burning. Mexico is in flames with violence. We are not taking on a war on drugs down at the border; we are taking on the battle against narco-terrorism.

Mr. Speaker, I have taken a lot of positions about the fact that the boarders are out of control, but now is the time the American people have to wake up and this Congress has to wake up and realize that the people in Mexico are fighting desperately for their republic. They are being murdered in the streets. Police chiefs on the day they do a press conference stating that they caught a cartel smuggling drugs into San Diego County through a tunnel, the day that they do that press conference, that night that police chief is murdered by the cartel. The head of their law enforcement, who is comparable to our FBI, was murdered in their capital.

You may say, but is Mexico doing enough? I have a lot of disagreements with Mr. Calderon. The justification for ignoring the cartel when they smuggle aliens is one of them. But the same cartel that is smuggling aliens and drugs into the United States are killing law enforcement and judges and politicians in Mexico.

And do not think that this is a problem far away from us. This problem is in our front yard, in our backyard, in our lap right now. Washington can ignore it, but they are already starting to kidnap and kill people in San Diego County in the south. We have an obligation to make sure that we fight this battle on Mexican soil before it becomes a battle in the main streets of the United States.

I ask us to join now. The fact is if there is anything that we can do, we need to defend our American freedom and our security when and where we find the threat, and the threat today is in Mexico. Calderon has been brave enough to export criminals to the United States. He has judges being killed right and left down there. Mexico is willing to work with us on this and desperately asking for our help, and only a fool would not give them the help to fight the battle on Mexican soil before we are fighting it on U.S. soil.

Mr. BERMAN. Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 30 seconds to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Speaker, at a time of record national debt and deficit, at a time when gasoline prices are now well over \$4, when oil is over \$130 a barrel and Mexico is sitting on one of the largest oil reserves in the world, it is inexcusable, it is intolerable for us

to send one dime to the Mexican Government when they can afford to pay for this equipment themselves.

But even more importantly than that, our southern border not secure. We should not send a dime to Mexico until our own American law enforcement officers have the resources they need to secure the border once and for all; not one dime to Mexico until the American border is secure.

I am going to call for a record vote on this bill, because we need to defeat this legislation until our southern border is secure.

Mr. BERMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise today in support of an issue of great importance to both the Nation and my congressional district in south Texas.

As a life-long resident of the southern border region, America's relationship with Mexico is of great importance to me, to my constituents, our chambers of commerce and economic development corporations.

For far too long, our Nation has focused its attention upon far-away lands on the other side of the world while our relationship with our closest of neighbors has languished. While current and past administrations shoulder much of the blame for our history of inattention to Mexico, Congress has been complicit in this failure.

When our Nation has needed to show compassion and understanding for the Mexican people, this Congress has been unable to agree on a comprehensive immigration plan befitting our American heritage. When our Nation should be celebrating our partnership and common interests with a close geographic ally, this Congress has literally built a wall between ourselves and Mexico.

This is no way to treat a friend and neighbor and actually our second largest trading partner. Although not a solution to all of the deficiencies in our relationship with Mexico, the Merida Initiative is a step in the right direction. Border residents are keenly aware of the violence and dangers of the drug trade and the criminal networks that span our continent. While based within Mexico, these criminal cartels are an affliction of the entire continent and must be addressed through national partnerships and cooperation.

We were there in Monterrey yesterday with a large delegation of Members of Congress and the Senate and we heard from and had a great dialogue with the congressmen and senators of that country. They are the ones who are fighting this battle for us.

The SPEAKER pro tempore (Mr. HOLDEN). The time of the gentleman from Texas has expired.

Mr. BERMAN. I yield the gentleman an additional 30 seconds.

Mr. HINOJOSA. They are the ones who are at the forefront as Colombia and other countries are bringing their drugs through Mexico, and they are the

ones who have to fight it. They are the ones who have given up their lives. They are the ones who are helping us fight the drug cartel.

I ask my colleagues to please join me in supporting this important initiative.

Ms. ROS-LEHTINEN. Mr. Speaker, I know we only have 1 minute remaining, so I would like to yield myself that remaining minute to close on our side on the Merida Initiative.

I would like to point to the testimony that was given by an official of the Department of Homeland Security when he testified on the importance for the United States of the Merida Initiative, because this is not a bill for Mexico. This is not a legislative bill for Central America. This is not for Haiti. This is not for the Dominican Republic. This is for the United States citizens. This is to protect our homeland from these vicious gangs and these drug dealers.

As this gentleman said, rather than simply giving money to foreign governments, the Merida Initiative has been tailored to provide our foreign partners with the specific tools they each need to fight transnational organized crime and work cooperatively with us in the United States. This is a bill that will help our communities, our country, our national security and our children.

Mr. Speaker, I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, may I inquire how much time I have left.

The SPEAKER pro tempore. The gentleman has 2½ minutes remaining.

Mr. BERMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GENE GREEN), a member of the committee.

Mr. GENE GREEN of Texas. Mr. Speaker, I want to thank my chairman of the Foreign Affairs Committee. This is my first term on the Foreign Affairs Committee. But I am not here necessarily as a committee member. I am here as a Member of Congress from Texas concerning the relationship Texas has had with Mexico for generations, if not centuries, and the relationship that we need to continue.

There is literally a battle going on in Mexico, our closest neighbor, and there has been an effort to try and support them in their battle with narcotics and narco-terrorism, and that is what this bill is about.

Whatever Mexico has been doing in their country is actually protecting those of us in Texas and California and all over the United States, because if they slow that situation down or win that battle, it makes our citizens and our people a lot safer.

We should help our local police even more. We should do a lot of things. But that is a whole separate piece of legislation. What we are talking about here is stepping up to the plate and helping a neighbor who is our closest neighbor and one who is in the middle of a war and losing police chiefs, law enforcement officers, the military. Whatever they do in their own country to take

care of this problem will make us safer in our own.

There are some concerns about human rights, and I want to address that, but I would hope we would address it with members of Congress from Mexico. When I met with those members from both the Senate and the Chamber of Deputies in Mexico, they were concerned about some of the human rights violations in our country. We have to share that information and work with each other. Again, we are not moving, Mexico is not moving, and we need to make sure we work as a partnership with Mexico in their efforts to control their own country.

I thank the gentleman for yielding.

The SPEAKER pro tempore. The gentleman from California has 30 seconds remaining.

Mr. BERMAN. Mr. Speaker, I include for the RECORD an exchange of letters between the distinguished chairman of the Committee on the Judiciary and myself.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 6, 2008.

Hon. HOWARD L. BERMAN,
Chairman, Committee on Foreign Affairs, House
of Representatives, Washington, DC.

DEAR CHAIRMAN BERMAN: This is to advise you that, as a result of your working with us to make appropriate revisions to provisions in H.R. 6028, the Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008, that fall within the rule X jurisdiction of the Committee on the Judiciary, we are able to agree to discharging our committee from further consideration of the bill in order that it may proceed without delay to the House floor for consideration.

The Judiciary Committee takes this action with the understanding that by forgoing further consideration of H.R. 6028 at this time, we do not waive any jurisdiction over subject matter contained in this similar legislation. We also reserve the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this important legislation, and request your support if such a request is made.

I would appreciate your including this letter in the Congressional Record during consideration of the bill on the House floor. Thank you for your attention to this request, and for the cooperative relationship between our two committees.

Sincerely,

JOHN CONYERS, JR.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, June 6, 2008.

Hon. JOHN CONYERS, JR.,
Chairman, Committee on the Judiciary, House
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 6028, the Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008.

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on the Judiciary. I acknowledge that the Committee will not seek a sequential referral of the bill and agree that the inaction of your Committee with respect to the bill does not waive any jurisdiction of the Judiciary Committee over subject matter contained in this bill or similar legislation.

Further, as to any House-Senate conference on the bill, I understand that your committee reserves the right to seek the appointment of conferees for consideration of portions of the bill that are within the Committee's jurisdiction.

I will ensure that our exchange of letters is included in the Congressional Record during the consideration of House debate on H.R. 6028, and I look forward to working with you on this important legislation. If you wish to discuss this matter further, please contact me or have your staff contact my staff.

Cordially,

HOWARD L. BERMAN,
Chairman.

I urge very strongly, don't make the best the enemy of the better. This is a very important proposal for the American people, for our interests. Yes, more police here, more Border Patrol, better technology, better employer verification. But understand what is going on in Mexico. This is a compelling initiative for our interests.

I urge an "aye" vote.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise in support of H.R. 6028, the Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008. H.R. 6028 creates a foundation for future cooperation in assisting our neighbors to the south in combating the rise of organized crime.

This legislation is a good starting point but much more work will need to be done, including significant transnational and interagency cooperation, in order to ensure the success of the Merida Initiative. I was disappointed that the House Homeland Security Committee was not included in the development of this bill, despite the fact that the Department of Homeland Security will play a large role in the Initiative by coordinating its agencies that are already assisting Mexico and other foreign governments to address smuggling, trafficking and violence on our borders.

Last week the Homeland Security Subcommittee on Border, Maritime, and Global Counterterrorism, which I have the privilege of chairing, had a hearing entitled "The Merida Initiative: Examining U.S. Efforts to Combat Transnational Criminal Organizations." This hearing highlighted the importance of the Merida Initiative in stemming the growing transnational crime in the United States and on our borders. For example, in my home district in Orange County, CA, gang violence is on the rise as a result of the huge presence of the largest transnational gang in the United States, Mara Salvatrucha, in Los Angeles County. It is reported that there are over 900 members of Mara Salvatrucha in Los Angeles County, and many of these gang members are in the United States illegally. The rise of this type of gang in the United States can be linked to a practice by many of the drug cartels of "contracting out" drug, ammunition, and weapon smuggling activities to these gang members. The Homeland Security hearing emphasized that many agencies, including the Department of Homeland Security will need to work together closely to stop these growing transnational crime networks.

H.R. 6028 must ensure interagency cooperation within the United States in order to succeed abroad with the foreign governments we seek to assist. As I stated earlier, much more needs to be done in order to help stem the violence along the U.S. and Mexican bor-

der, but this bill helps build the necessary foundation. I urge my colleagues to support this bill and to help ensure further cooperation between the key departments involved in its implementation.

Mr. MCGOVERN. Mr. Speaker, I rise reluctantly in opposition to this bill.

I applaud the Chairman of the House Foreign Affairs Committee, my friend and colleague Congressman BERMAN, for asserting the role of the Congress and making sure that new initiatives such as the Merida Initiative are authorized. It is the right thing to do, and I look forward to working with him over the coming weeks on a number of foreign policy matters pending before the Committee.

There is much to support in H.R. 6028, and there are also several troubling matters.

Regarding the provisions of the bill that deal with Central America—a region of Latin America that is very close to my heart—I believe H.R. 6028 takes several important steps forward, seriously investing in community-based solutions to youth and gang problems. H.R. 6028 provides strong support to non-security programs that address the endemic conditions giving rise to violence related to drugs, arms and human trafficking. It provides support for the U.N. International Commission Against Impunity in Guatemala (CICIG), especially in the areas of witness and victim protection, an initiative that merits the very strongest support by the United States and the international community. The bill also seeks to promote transparency and an end to impunity throughout Central America by strengthening police and judicial systems so that they may more effectively and successfully carry out investigations and prosecutions of those responsible for human rights violations and other criminal acts.

This is all very good news, Mr. Speaker.

I am very concerned that this authorizing bill fails, however, to reflect the thoughtful and critically important human rights conditions contained in the Senate and House versions of the FY 2008 supplemental appropriations on military and security-related aid to Mexico. I understand that those proposed conditions are controversial in Mexico, in large measure because of the history of the very problematic drug certification process that existed in the past. I do not believe that the human rights conditions included in the supplemental appropriations bill bear any resemblance to the flawed drug certification process, and the House and Senate Appropriations Committees took great care not to mirror that flawed certification process.

By failing to include the conditions on aid provided for the Merida Initiative that are included in the Senate and House supplemental appropriations bills, passage of this authorizing measure could be viewed as an effort to weaken or eliminate those provisions from the final conference report on the supplemental that will soon be sent to the President for his signature. It is my sincere hope that this is not the intention of bringing H.R. 6028 to the House floor at such a delicate moment. There was no reason to rush this bill before the House, since we know it has no counterpart on the Senate side. So its consideration today invites concern that its passage is indeed an attempt to influence conference negotiations on the supplemental and to send a message that human rights conditions are not welcome, and certainly not the stronger, more specific

conditionality included in the Senate version of the FY08 supplemental appropriations.

Mr. Speaker, there is no doubt that America wants to be a good partner with Mexico on fighting drugs and ending corruption and human rights violations within Mexico's judicial system and its military and police. Over the past several weeks we have all seen the effects of the bloody rampage carried out by the drug cartels, especially those targeted at assassinating key officers and members of the Mexican National Police. I hope in other legislation that may come before the House this year that we will pay special attention to investing in drug education, prevention and treatment programs, as well as our own law enforcement agencies, so that U.S. demand for illegal drugs will also be forcefully and substantially addressed.

But we cannot simply write blank checks and fail to ensure that our aid is not subject to strong conditions on human rights, transparency, justice reform and promoting and protecting the rights of civil society. These concerns are very much at the forefront of the strong Senate conditions in the FY08 appropriations bill, and are also reflected in the slightly less stringent House conditions. They should have been included in H.R. 6028, the authorizing legislation, which is where human rights conditionality appropriately belongs.

So, Mr. Speaker, these are my concerns and my hopes regarding H.R. 6028, and I will be following closely the consequences of authorizing and appropriating these funds.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in opposition to H.R. 6028.

With our economy facing serious, mounting challenges, and Americans facing unprecedented energy prices, I cannot support sending money to Mexico and Central America to take up the fight on drug trafficking.

As Mexico currently profits from the sale of oil on the world market as gas prices continue to skyrocket, I seriously question why we would send their government any aid to fight this battle. Think about it: gas is so much less expensive in Mexico that border area citizens from this country are going there to fill up.

Our own borders remain porous, illegal immigration strains our economy, and Americans are vulnerable to terrorists slipping into our country: fighting Mexico's war on drugs, and essentially securing Mexico's southern border, should not be at the top of our list of priorities right now.

While sending aid to fight criminal behavior and drug trafficking abroad is laudable in theory, given the current economic hardships Americans face, I simply cannot support this bill.

Mr. BERMAN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill, H.R. 6028, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. POE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1230

MARKING THE 225TH ANNIVERSARY OF THE TREATY OF PARIS OF 1783

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1063) marking the 225th anniversary of the Treaty of Paris of 1783, which ended the Revolutionary War with the Kingdom of Great Britain and recognized the independence of the United States of America, and acknowledging the shared values and close friendship between the peoples and governments of the United States and the United Kingdom of Great Britain and Northern Ireland.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1063

Whereas the United States will celebrate this year the 225th anniversary of its relationship with the United Kingdom of Great Britain and Northern Ireland since the September 3, 1783 signing of the Treaty of Paris, which formally ended the American Revolutionary War between the Kingdom of Great Britain and the United States of America;

Whereas both the United Kingdom and the United States are free and democratic nations with a common commitment to human rights and the rule of law;

Whereas the United Kingdom is a major ally of the United States and 2008 marks the 50th anniversary of the US-UK Mutual Defense Agreement that was signed in Washington, DC, on July 3, 1958, and renewed in Washington, DC, on June 14, 2004;

Whereas both the United Kingdom and the United States are founding members of the North Atlantic Treaty Organization (NATO), having been party to the North Atlantic Treaty signed in Washington, DC, on April 4, 1949;

Whereas the United Kingdom is a major partner in the worldwide fight against terrorism, supporting the United States in many key armed struggles;

Whereas the United Kingdom is the second largest contributor to the multinational force in Iraq;

Whereas the United Kingdom plays a significant role in the military effort to bring lasting stability to Afghanistan and is the second largest contributor to NATO's International Security Assistance Force;

Whereas the United Kingdom and the United States share a steadfast alliance and a long tradition of opposing extremism, which included fighting the forces of nazism and communism in the 20th century;

Whereas the United Kingdom is the sixth largest trading partner of the United States, and the United States is the largest trading partner of the United Kingdom;

Whereas the United States and the United Kingdom share the world's largest foreign direct investment partnership, with American investment sustaining over a million jobs in the United Kingdom and British investment sustaining over a million jobs in the United States;

Whereas approximately 675,000 British citizens reside in the United States, and 155,000 Americans reside in the United Kingdom, with both communities contributing to the fabric of life in their host countries;

Whereas approximately 8,400 British students are currently studying at universities in the United States, and 32,000 American students are studying at universities in the United Kingdom; and

Whereas the relationship between the United States and the United Kingdom is one of unity and strength, and has been proven to be of mutual benefit: Now, therefore, be it

Resolved, That the House of Representatives—

(1) marks the 225th anniversary of relations between the United States and the Kingdom of Great Britain;

(2) recognizes that the Kingdom of Great Britain's recognition of the United States was an important event in the history of the Nation;

(3) reaffirms the value of the deep friendship that has developed between our two Countries since the signing of the Treaty of Paris; and

(4) looks forward to a continued and strengthened relationship between the British and American people.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentlewoman from Florida (Ms. ROSELEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Mr. Speaker, I rise in strong support of this resolution and yield myself as much time as I may consume.

I am pleased to support this resolution that marks 225 years since the Treaty of Paris concluded the Revolutionary War with Great Britain and that acknowledges the close friendship enjoyed by our two countries ever since.

I commend our distinguished colleague, Representative WU of Oregon, and Vice-Chair of the British-American Parliamentary Group, who introduced this measure. It is important that the House marks this anniversary and celebrates such a vital bipartisan partnership, bilateral partnership also.

The Treaty of Paris was signed on September 3, 1783, formally ending the Revolutionary War between the 13 original colonies and the Kingdom of Great Britain. The settlement of the war and the recognition of our young Nation by Great Britain was a moment of great significance in the infancy of our Nation.

Two hundred twenty-five years later, the United Kingdom remains one of our closest allies by virtue of our shared history and values. Both the United States and the UK have proud histories of representative democracy and respect for the rule of law.

They have also encouraged and helped many people around the world secure the freedoms and rights their

own citizens enjoy. During World War I, the United States and the United Kingdom fought together as a part of the allied forces against autocratic imperialism.

During World War II, again, against the Axis, our countries stood together against the scourge of Nazism and fascism. Our brave troops helped to liberate European countries from Nazi occupation, and innocent civilians from the horrors of concentration camps. We talked about the greatest generation, our World War II veterans, that we today still admire and respect.

Throughout the 20th century, the United Kingdom has stood side-by-side with the United States on critical issues concerning liberty and human rights. Most recently the United Kingdom has strongly supported the United States' effort in South Asia and the Middle East. British soldiers are the second largest contributors to NATO's International Security Assistance Force in Afghanistan and the multinational force in Iraq.

The United States and the United Kingdom share long histories of industrialization, being among the first nations to develop technologically. Both nations have a culture of intervention and curiosity, as evidenced by the innumerable number of scientific discoveries and inventions. This work has enhanced the frequent collaboration between American and British researchers. We have a tremendous bilateral system going.

Indeed, such links are often developed at an early stage as young people take advantage of educational opportunities in each others' countries. There are currently 8,400 British students attending American universities and 32,000 American youth staying in the UK. These young people know all too well the extensive cultural links between our countries as British and American arts, music, literature, cinema, are enjoyed on both sides of the Atlantic.

In recognition of the close bilateral relations shared by the United States and the United Kingdom, I strongly support this resolution and urge my colleagues to join me in supporting it.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, while the positive relationship enjoyed by the United States and Great Britain is certainly historic, enduring and merits recognition, and it merits nurturing, we should also be focusing our time and debating policies to address the rising energy costs that are facing our Nation.

Nevertheless, we have this resolution before us marking the 225th anniversary of the Treaty of Paris of 1783 between the United States and the United Kingdom. The great British Prime Minister Winston Churchill was the first to refer to the alliance between the United States and the

United Kingdom as a special relationship. In a speech he delivered in 1946, he was right to use that term.

The American British relationship is, indeed, special, with its foundation lying in the common values of freedom, democracy and human rights. Our mutual commitments to those principles have led the United States and Great Britain to stand side by side on the beaches of Normandy, at the Berlin wall, in the mountains of Afghanistan, and in those the parts of Iraq where the challenges today are greatest.

The murderous terrorist attacks on September 11, 2001, in America, and on July 7, 2005, in Britain, have bound America and Britain even closer together in our determination to defeat extremism.

During his recent visit to the United States, British Prime Minister Gordon Brown reaffirmed our strong relationship saying, "I continue to stand shoulder to shoulder [with the US] in the fight where freedom and justice are at risk."

By adopting the resolution before us, we will again recognize the history of our special relationship with Britain, a relationship that ironically began with the revolution of one against the other, but that came into its full strength because of the values and the ideals that our two people have continued to share.

Now, 225 years after the treaty of peace, in which Britain recognized the independence of the United States of America, that alliance between our two countries takes its guidance from the speech in 1946 in which Mr. Churchill noted our special relationship, and here is what he said then:

If there is to be a fraternal association . . . with all the extra strength and security which both our countries can derive from it, let us make sure that that great fact is known to the world, and that it plays its part in steadying and stabilizing the foundations of peace. There is the path of wisdom.

I encourage my colleagues to join supporting this resolution which follows Mr. Churchill's advice and lets the world know that the United States and the United Kingdom, indeed, have a strong and continuing relationship. I am not sure what Winston Churchill would say about today's high energy costs, but I bet that he would have a detailed plan to help us bring our costs down.

Mr. Speaker, I reserve the balance of our time.

Mr. PAYNE. Mr. Speaker, I yield as much time as he may consume to the author of this resolution, Mr. DAVID WU of Oregon, chairman of the Subcommittee on Science and Technology.

Mr. WU. Mr. Speaker, I thank the chairman for his many kindnesses.

Thomas Jefferson once said that "no two countries upon Earth have so many points of common interest and friendship" as the United States and the United Kingdom. Indeed, our two

nations share values, traditions and a common commitment to democracy, human rights and the rule of law.

I introduced House Resolution 1063 to mark the 225th anniversary of our diplomatic relationship with the United Kingdom, which began with the signing of the Treaty of Paris of 1783. This treaty formalized the peace between the United States and Great Britain following our Revolutionary War.

In September of 1782, Benjamin Franklin, along with fellow peace commissioners John Adams and John Jay, began formal negotiations for an end to hostilities between Great Britain and the de facto independent United States of America.

After 2 months of negotiation, Britain and France and the United States reached a preliminary peace agreement. The following September, the parties met in Paris and signed what would become known as the Treaty of Paris of 1783. Since that time, Britain and the United States have come to be friends, allies and economic partners, a relationship that advances, enriches and inspires both sides of the Atlantic.

As with all old sayings, it is the exception which proves the rule. For the old saying that great powers have only interests, not friends, the relationship between the United States of America and the United Kingdom is the exception which proves the rule.

Recently I joined several of my colleagues in Congress and with members of the British Parliament for extensive discussions. It was a productive and thought-provoking exchange of ideas. I believe we can learn much from the experience of our British counterparts. One example would be dealing with the challenge of global climate change.

I also believe our own knowledge and expertise can be of continued value to our friends in the United Kingdom. One example of that would be their expressed interest in the Death with Dignity Law which we passed in the State of Oregon.

After two centuries, we can still learn from each other, prosper together, and jointly promote a better world.

So it is fitting that we should mark with special approbation the 225th anniversary of the treaty that began our relations with the United Kingdom as independent States. For over two centuries, our two nations have stood together in peace and war, in prosperity and hardship. Together we have faced two world wars, the Great Depression, the Cold War, terrorism, and triumphs and tragedies too numerous to recount.

Please join me in marking the genesis of our diplomatic relationship with the United Kingdom by supporting House Resolution 1063. I thank the Speaker of the House for the House consideration of this resolution today, and I urge swift passage of H.R. 1063.

Ms. ROS-LEHTINEN. Mr. Speaker, in order to close, I would like to yield myself such time as I may consume.

Mr. Speaker, in conclusion, I would like to note that this 225th anniversary

of the signing of the Treaty of Paris, the declaration in that treaty of the intention of both the U.S. and the United Kingdom to forget all past misunderstandings and differences and to secure perpetual peace and harmony, over 200 years later these goals remain a cornerstone to our strong relationship.

I encourage my colleagues to support this resolution and reaffirm our close ties to our dear ally, Great Britain.

Mr. PAYNE. Mr. Speaker, let me, once again, say what a great occasion it is marking the 225th anniversary of the Treaty of Paris of 1783.

As has been indicated, we are close allies. Many of our organizations, as a matter of fact, the YMCA, which was founded in Great Britain in the late 1840s to take people who were coming into London because of the Industrial Revolution in London and England found a place where they could have a wholesome relationship. Twenty-five years later, that organization was brought to the United States of America. Still we have relations between them, just another example of close ties between the United States and the United Kingdom.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the resolution, H. Res. 1063.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: ordering the previous question on House Resolution 1253; adopting House Resolution 1253, if ordered; and suspending the rules and passing H.R. 6028.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

□ 1245

PROVIDING FOR CONSIDERATION OF H.R. 6003, PASSENGER RAIL INVESTMENT AND IMPROVE- MENT ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on order-

ing the previous question on House Resolution 1253, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 227, nays 185, not voting 21, as follows:

[Roll No. 391]

YEAS—227

Abercrombie	Gordon	Obey
Ackerman	Green, Gene	Oliver
Allen	Grijalva	Pallone
Altmire	Gutierrez	Pascarell
Andrews	Hare	Pastor
Arcuri	Harman	Payne
Baca	Hastings (FL)	Perlmutter
Baird	Hersteth Sandlin	Peterson (MN)
Baldwin	Higgins	Pomeroy
Barrow	Hinchee	Price (NC)
Bean	Hinojosa	Rahall
Becerra	Hirono	Rangel
Berkley	Hodes	Reichert
Berman	Holden	Reyes
Berry	Honda	Richardson
Bilirakis	Hooley	Rodriguez
Bishop (GA)	Hoyer	Ros-Lehtinen
Bishop (NY)	Insee	Ross
Blumenauer	Israel	Rothman
Boren	Jackson (IL)	Roybal-Allard
Boswell	Jackson-Lee	Ruppersberger
Boucher	(TX)	Ryan (OH)
Boyd (FL)	Jefferson	Salazar
Boyd (KS)	Johnson (GA)	Sanchez, Linda
Brady (PA)	Johnson (IL)	T.
Braley (IA)	Johnson, E. B.	Sanchez, Loretta
Brown, Corrine	Jones (OH)	Sarbanes
Butterfield	Kagen	Schakowsky
Capps	Kanjorski	Schiff
Capuano	Kaptur	Schwartz
Cardoza	Kennedy	Scott (GA)
Carnahan	Kildee	Scott (VA)
Carney	Kilpatrick	Serrano
Carson	Kind	Sestak
Castor	Kirk	Shea-Porter
Cazayoux	Klein (FL)	Sherman
Chandler	Kucinich	Shuler
Childers	Langevin	Sires
Clarke	Larsen (WA)	Skelton
Clay	Larson (CT)	Slaughter
Cleaver	Lee	Smith (WA)
Clyburn	Levin	Snyder
Cohen	Lewis (GA)	Solis
Conyers	Lipinski	Space
Cooper	Loebbeck	Speier
Costa	Lofgren, Zoe	Spratt
Costello	Lowe	Stark
Courtney	Lynch	Stupak
Cramer	Mahoney (FL)	Sutton
Crowley	Maloney (NY)	Tanner
Cuellar	Markley	Tauscher
Davis (AL)	Marshall	Taylor
Davis (CA)	Matheson	Thompson (CA)
Davis (IL)	Matsui	Thompson (MS)
Davis, Lincoln	McCarthy (NY)	Tierney
DeFazio	McCollum (MN)	Towns
DeGette	McDermott	Tsongas
DeLaunt	McGovern	Udall (CO)
DeLauro	McIntyre	Udall (NM)
Dicks	McNerney	Van Hollen
Doggett	McNulty	Velázquez
Donnelly	Meeks (NY)	Visclosky
Doyle	Melancon	Walz (MN)
Edwards	Michaud	Wasserman
Ellison	Miller (NC)	Schultz
Ellsworth	Mitchell	Waters
Emanuel	Mollohan	Watson
Engel	Moore (KS)	Watt
Eshoo	Moore (WI)	Waxman
Etheridge	Moran (VA)	Weiner
Farr	Murphy (CT)	Welch (VT)
Fattah	Murphy, Patrick	Wexler
Filner	Murtha	Wilson (OH)
Foster	Nadler	Woolsey
Frank (MA)	Napolitano	Wu
Giffords	Neal (MA)	Yarmuth
Gonzalez	Oberstar	

NAYS—185

Aderholt	Bachmann	Bartlett (MD)
Akin	Bachus	Barton (TX)
Alexander	Barrett (SC)	Biggart

Bilbray	Goodlatte	Pence
Bishop (UT)	Granger	Peterson (PA)
Blackburn	Graves	Petri
Blunt	Hall (TX)	Pitts
Boehner	Hastings (WA)	Platts
Bonner	Hayes	Poe
Bono Mack	Heller	Porter
Boozman	Hensarling	Price (GA)
Boustany	Herger	Pryce (OH)
Brady (TX)	Hill	Putnam
Broun (GA)	Hobson	Radanovich
Brown (SC)	Hoekstra	Ramstad
Brown-Waite,	Hunter	Regula
Ginny	Inglis (SC)	Rehberg
Buchanan	Issa	Renzi
Burgess	Johnson, Sam	Reynolds
Burton (IN)	Jones (NC)	Rogers (AL)
Buyer	Jordan	Rogers (KY)
Calvert	Keller	Rogers (MI)
Camp (MI)	King (IA)	Rohrabacher
Campbell (CA)	King (NY)	Roskam
Cannon	Kline (MN)	Royce
Cantor	Knollenberg	Ryan (WI)
Capito	Kuhl (NY)	Sali
Carter	LaHood	Saxton
Castle	Lampson	Scalise
Chabot	Latham	Schmidt
Coble	LaTourette	Sensenbrenner
Cole (OK)	Latta	Sessions
Conaway	Lewis (CA)	Shadegg
Crenshaw	Lewis (KY)	Shays
Culberson	Linder	Shimkus
Davis (KY)	LoBiondo	Shuster
Davis, David	Lucas	Simpson
Davis, Tom	Lungren, Daniel	Smith (NE)
Deal (GA)	E.	Smith (NJ)
Dent	Mack	Smith (TX)
Doollittle	Manzullo	Souder
Drake	Marchant	Stearns
Dreier	McCarthy (CA)	Sullivan
Duncan	McCaul (TX)	Terry
Ehlers	McCotter	Thornberry
Emerson	McHenry	Tiahrt
English (PA)	McHugh	Tiberi
Everett	McKeon	Turner
Fallin	McMorris	Upton
Feeney	Rodgers	Walberg
Flake	Mica	Walden (OR)
Forbes	Miller (FL)	Walsh (NY)
Fortenberry	Miller (MI)	Wamp
Fox	Miller, Gary	Weldon (FL)
Franks (AZ)	Moran (KS)	Weller
Frelinghuysen	Murphy, Tim	Westmoreland
Gallegly	Musgrave	Whitfield (KY)
Garrett (NJ)	Myrick	Wilson (NM)
Gerlach	Neugebauer	Wittman (VA)
Gilchrest	Nunes	Wolf
Gingrey	Paul	Young (AK)
Gohmert	Pearce	Young (FL)

NOT VOTING—21

Cubin	Gillibrand	Meek (FL)
Cummings	Green, Al	Miller, George
Diaz-Balart, L.	Hall (NY)	Ortiz
Diaz-Balart, M.	Holt	Pickering
Dingell	Hulshof	Rush
Ferguson	Lamborn	Tancredo
Fossella	McCrery	Wilson (SC)

□ 1310

Mrs. DRAKE and Messrs. FRANKS of Arizona, KINGSTON and DOOLITTLE changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 187, not voting 19, as follows:

[Roll No. 392]

YEAS—227

Abercrombie Giffords Oberstar
Ackerman Gonzalez Obey
Allen Gordon Oliver
Altmire Green, Gene Pallone
Andrews Grijalva Pascarell
Arcuri Gutierrez Pastor
Baca Hare Payne
Baird Harman Perlmutter
Baldwin Hastings (FL) Peterson (MN)
Barrow Herger Pomeroy
Bean Herseth Sandlin Price (NC)
Becerra Higgins Rahall
Berkley Hinchey Rangel
Berman Hinojosa Reyes
Berry Hirono Richardson
Bishop (GA) Hodes Rodriguez
Bishop (NY) Holden Ross
Blumenauer Honda Rothman
Boren Hooley Roybal-Allard
Boswell Hoyer Ruppersberger
Boucher Inslee Ryan (OH)
Boyd (FL) Israel Salazar
Boyd (KS) Jackson (IL) Sanchez, Linda
Brady (PA) Jackson-Lee T.
Braley (IA) (TX) Sanchez, Loretta
Brown, Corrine Jefferson Sarbanes
Butterfield Johnson (GA) Schakowsky
Capps Johnson, E. B. Schiff
Capuano Jones (OH) Schwartz
Cardoza Kagen Scott (GA)
Carnahan Kanjorski Scott (VA)
Carney Kaptur Serrano
Carson Kennedy Sestak
Castle Kildee Shea-Porter
Castor Kilpatrick Sherman
Cazayoux Kind Shuler
Chandler Klein (FL) Sires
Childers Kucinich Skelton
Clarke Lampson Slaughter
Clay Langevin Smith (WA)
Cleaver Larsen (WA) Snyder
Clyburn Larson (CT) Solis
Cohen Lee Space
Conyers Levin Speier
Cooper Lewis (GA) Spratt
Costa Lipinski Stark
Costello Loeb sack Stupak
Courtney Lofgren, Zoe Sutton
Cramer Lowey Tanner
Crowley Lynch Tauscher
Cuellar Mahoney (FL) Taylor
Davis (AL) Maloney (NY) Thompson (CA)
Davis (CA) Markey Thompson (MS)
Davis (IL) Marshall Tierney
Davis, Lincoln Matheson Towns
Davis, Tom Matsui Tsongas
DeFazio McCarthy (NY) Udall (CO)
DeGette McCollum (MN) Udall (NM)
Delahunt McDermott Van Hollen
DeLauro McGovern Velázquez
Dent McIntyre Visclosky
Dicks McNerney Walz (MN)
Doggett McNulty Wasserman
Donnelly Meeks (NY) Schultz
Doyle Michaud Waters
Edwards Miller (NC) Watson
Ellison Mitchell Watt
Ellsworth Mollohan Waxman
Emanuel Moore (KS) Weiner
Engel Moore (WI) Welch (VT)
Eshoo Moran (VA) Wexler
Etheridge Murphy (CT) Wilson (OH)
Farr Murphy, Patrick Woolsey
Fattah Murtha Wu
Filner Nadler Yarmuth
Foster Napolitano Young (AK)
Frank (MA) Neal (MA)

NAYS—187

Aderholt Boozman Carter
Akin Boustany Chabot
Alexander Brady (TX) Coble
Bachmann Broun (GA) Cole (OK)
Bachus Brown (SC) Conaway
Barrett (SC) Brown-Waite, Crenshaw
Bartlett (MD) Ginny Culberson
Barton (TX) Buchanan Davis (KY)
Biggart Burgess Davis, David
Bilbray Burton (IN) Deal (GA)
Bilirakis Buyer Diaz-Balart, L.
Bishop (UT) Calvert Diaz-Balart, M.
Blackburn Camp (MI) Doolittle
Blunt Campbell (CA) Drake
Boehner Cannon Dreier
Bonner Cantor Duncan
Bono Mack Capito Ehlers

Emerson LaTourette Renzi
English (PA) Latta Reynolds
Everett Lewis (CA) Rogers (AL)
Fallin Lewis (KY) Rogers (KY)
Feeney Linder Rogers (MI)
Flake LoBiondo Rohrabacher
Forbes Lucas Ros-Lehtinen
Fortenberry Lungren, Daniel
Foxy E. Roskam
Franks (AZ) Mack Royce
Frelinghuysen Manzullo Ryan (WI)
Gallegly McCarthy (CA) Sali
Garrett (NJ) McCaul (TX) Saxton
Gerlach McCotter Scalise
Gilchrest McHenry Schmidt
Gingrey McHugh Sensenbrenner
Gohmert McKeon Sessions
Goode McMorris Shadegg
Goodlatte Rodgers Shays
Granger Mica Shimkus
Graves Miller (FL) Shuster
Hall (TX) Miller (MI) Simpson
Hastings (WA) Miller, Gary Smith (NE)
Hayes Moran (KS) Smith (NJ)
Heller Murphy, Tim Smith (TX)
Hensarling Musgrave Souder
Hill Myrick Stearns
Hobson Neugebauer Sullivan
Hoekstra Nunes Terry
Hunter Paul Thornberry
Inglis (SC) Pearce Tiahrt
Issa Pence Tiberi
Johnson (IL) Peterson (PA) Turner
Johnson, Sam Petri Upton
Jones (NC) Pickering Walberg
Jordan Pitts Walden (OR)
Keller Platts Walsh (NY)
King (IA) Poe Wamp
King (NY) Porter Weldon (FL)
Kingston Price (GA) Weller
Kirk Pryce (OH) Westmoreland
Kline (MN) Putnam Whitfield (KY)
Knollenberg Radanovich Wilson (NM)
Kuhl (NY) Ramstad Wittman (VA)
LaHood Regula Wolf
Lamborn Rehberg
Latham Reichert Young (FL)

NOT VOTING—19

Cubin Hall (NY) Miller, George
Cummings Holt Ortiz
Dingell Hulshof Rush
Ferguson Marchant Tancred
Fossella McCrery Wilson (SC)
Gillibrand Meek (FL)
Green, Al Melancon

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1322

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. HALL of New York. Mr. Speaker, on roll-call Nos. 391 and 392, I did not receive a page. Had I been present, I would have voted “yea” and “yea.”

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I was unavoidably delayed and missed the vote on Ordering the Previous Question (rollcall 391) and H. Res. 1253—Rule providing for consideration of H.R. 6003—Passenger Rail Investment and Improvement Act of 2008 (rollcall 392). Had I been present I would have voted “yea” on rollcall 391 and rollcall 392.

MERIDA INITIATIVE TO COMBAT ILLICIT NARCOTICS AND REDUCE ORGANIZED CRIME AUTHORIZATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 6028, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill, H.R. 6028, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 311, nays 106, not voting 16, as follows:

[Roll No. 393]

YEAS—311

Abercrombie DeFazio Kagen
Ackerman DeGette Kanjorski
Alexander Delahunt Kaptur
Allen DeLauro Keller
Altmire Dent Kennedy
Andrews Diaz-Balart, L. Kildee
Arcuri Diaz-Balart, M. Kilpatrick
Baca Dicks Kind
Bachus Doggett King (NY)
Baird Donnelly Kirk
Barrow Doolittle Klein (FL)
Bartlett (MD) Doyle Knollenberg
Barton (TX) Drake Kuhl (NY)
Bean Dreier LaHood
Becerra Edwards Lampson
Berkley Ehlers Langevin
Berman Emanuel Larsen (WA)
Berry Emerson Larson (CT)
Biggart Engel Latham
Bilbray English (PA) LaTourette
Bishop (GA) Eshoo Levin
Bishop (NY) Etheridge Lewis (CA)
Blumenauer Fallon Lewis (KY)
Blunt Farr Lipinski
Boehner Fattah LoBiondo
Bono Mack Fortenberry Loeb sack
Boozman Foster Lofgren, Zoe
Boren Frank (MA) Lowey
Boswell Frelinghuysen Lucas
Boucher Gallegly Lungren, Daniel
Boustany Garrett (NJ) E.
Boyd (FL) Gerlach Lynch
Boyda (KS) Giffords Mack
Brady (IA) Gilchrest Mahoney (FL)
Braley (PA) Gonzalez Maloney (NY)
Brown (SC) Gordon Markey
Brown, Corrine Green, Al Marshall
Buchanan Green, Gene Matheson
Butterfield Grijalva Matsui
Calvert Gutierrez McCarthy (CA)
Camp (MI) Hall (NY) McCarthy (NY)
Cannon Hare McCollum (MN)
Capito Harman McHugh
Capps Hastings (FL) McKeon
Capuano Hastings (WA) McMorris
Cardoza Hayes Rodgers
Carnahan Herger McNerney
Castle Herseth Sandlin McNulty
Castor Higgins Meeks (NY)
Cazayoux Hill Melancon
Chandler Hinchey Michaud
Childers Hinojosa Miller (MI)
Clay Hirono Miller (NC)
Cleaver Hobson Miller, George
Clyburn Hodes Mitchell
Cohen Holden Mollohan
Conaway Honda Moore (KS)
Cooper Hooley Moran (KS)
Costa Hoyer Moran (VA)
Courtney Inglis (SC) Murphy (CT)
Cramer Inslee Murphy, Patrick
Crenshaw Israel Murphy, Tim
Crowley Issa Murtha
Cuellar Jackson (IL) Myrick
Davis (AL) Jackson-Lee Nadler
Davis (CA) (TX) Napolitano
Davis (IL) Jefferson Neal (MA)
Davis (KY) Johnson (GA) Nunes
Davis, Lincoln Johnson (IL) Oberstar
Davis, Tom Johnson, E. B. Obey

Oliver	Salazar	Taylor
Pallone	Sánchez, Linda	Terry
Pascarell	T.	Thompson (CA)
Pastor	Sanchez, Loretta	Thompson (MS)
Pearce	Sarbanes	Tiahrt
Pence	Saxton	Tiberi
Perlmutter	Scalise	Tierney
Peterson (MN)	Schiff	Towns
Peterson (PA)	Schmidt	Tsongas
Pickering	Schwartz	Turner
Pitts	Scott (GA)	Udall (CO)
Pomeroy	Scott (VA)	Udall (NM)
Porter	Sessions	Upton
Price (NC)	Sestak	Van Hollen
Pryce (OH)	Shadegg	Velázquez
Radanovich	Shays	Visclosky
Rahall	Shea-Porter	Walden (OR)
Ramstad	Sherman	Walsh (NY)
Rangel	Shimkus	Walz (MN)
Regula	Shuler	Wasserman
Rehberg	Simpson	Schultz
Reichert	Sires	Waters
Renzi	Skelton	Watson
Reyes	Slaughter	Watt
Reynolds	Smith (NE)	Waxman
Richardson	Smith (NJ)	Weiner
Rodriguez	Smith (WA)	Weller
Rogers (KY)	Snyder	Wexler
Rogers (MI)	Solis	Wilson (NM)
Ros-Lehtinen	Souder	Wilson (OH)
Roskam	Space	Wolf
Ross	Spratt	Wu
Rothman	Stupak	Yarmuth
Roybal-Allard	Sutton	Young (FL)
Ruppersberger	Tanner	
Ryan (OH)	Tauscher	

NAYS—106

Aderholt	Forbes	Miller (FL)
Akin	Fox	Miller, Gary
Bachmann	Franks (AZ)	Moore (WI)
Baldwin	Gingrey	Musgrave
Barrett (SC)	Gohmert	Neugebauer
Bilirakis	Goode	Paul
Bishop (UT)	Goodlatte	Payne
Blackburn	Granger	Petri
Bonner	Graves	Platts
Brady (TX)	Hall (TX)	Poe
Broun (GA)	Heller	Price (GA)
Brown-Waite,	Hensarling	Putnam
Ginny	Hoekstra	Rogers (AL)
Burgess	Hunter	Rohrabacher
Burton (IN)	Johnson, Sam	Royce
Buyer	Jones (NC)	Ryan (WI)
Campbell (CA)	Jones (OH)	Sali
Cantor	Jordan	Schakowsky
Carney	King (IA)	Sensenbrenner
Carson	Kingston	Serrano
Carter	Kline (MN)	Shuster
Chabot	Kucinich	Smith (TX)
Clarke	Lamborn	Stark
Coble	Latta	Stearns
Cole (OK)	Lee	Sullivan
Conyers	Lewis (GA)	Thornberry
Culberson	Linder	Walberg
Davis, David	Manzullo	Wamp
Deal (GA)	Marchant	Welch (VT)
Duncan	McCaul (TX)	Weldon (FL)
Ellison	McCotter	Westmoreland
Ellsworth	McDermott	Whitfield (KY)
Everett	McGovern	Wittman (VA)
Feeney	McHenry	Woolsey
Filner	McIntyre	Young (AK)
Flake	Mica	

NOT VOTING—16

Costello	Gillibrand	Rush
Cubin	Holt	Speier
Cummings	Hulshof	Tancred
Dingell	McCrery	Wilson (SC)
Ferguson	Meek (FL)	
Fossella	Ortiz	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1331

Messrs. WITTMAN of Virginia, ADERHOLT, and FORBES changed their vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTING CERTAIN MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. EMANUEL. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1256

Resolved, That the following named Members be, and are hereby, elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Mr. Childers.

(2) COMMITTEE ON ENERGY AND COMMERCE.—Ms. Matsui.

(3) COMMITTEE ON FINANCIAL SERVICES.—Ms. Speier, Mr. Cazayoux, Mr. Childers.

(4) COMMITTEE ON SCIENCE AND TECHNOLOGY.—Mr. Carson.

(5) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Cazayoux.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING THE 60TH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 332) recognizing the 60th anniversary of the Universal Declaration of Human Rights, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 332

Whereas the United Nations Charter sought to establish an international forum to “save succeeding generations from the scourge of war . . . , reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small . . .”;

Whereas, through manifold works of generosity, the people of the United States exemplify a noble conviction that the deepest yearnings of the human heart for respect and dignity transcend political, ethnic, and religious differences;

Whereas the people of the United States continue to inspire their leaders to prioritize endeavors which bring hope and healing to those in need throughout the world;

Whereas the United Nations General Assembly proclaimed the Universal Declaration of Human Rights on December 10, 1948, as a “common standard of achievement for all peoples and nations . . .”;

Whereas the preamble of the Universal Declaration of Human Rights states, “. . . recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world . . .”;

Whereas the Universal Declaration of Human Rights sets forth a common understanding of universal rights and freedoms and the notion that these cannot be created

and are neither conferred by countries nor by governments, but rather are inalienable rights and freedoms with which all human persons are endowed by their very nature;

Whereas, Eleanor Roosevelt, who led the United States delegation to the first Commission on Human Rights, was responsible for drafting the Universal Declaration of Human Rights and in recognition of her unparalleled humanitarian conviction, was elected as Chairwoman of the Commission; Eleanor Roosevelt expressed her vision of a declaration of true universality with enduring principles that would be perpetually recognized by all nations when she stated, as she submitted the Universal Declaration of Human Rights for consideration by the United Nations General Assembly, “We stand today at the threshold of a great event both in the life of the United Nations and in the life of mankind. This declaration may well become the international Magna Carta for all men everywhere.”; and

Whereas United Nations Secretary-General Ban Ki-moon noted on Human Rights Day 2007, that “[i]t is our duty to ensure that these rights are a living reality—that they are known, understood and enjoyed by everyone, everywhere”; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes on its 60th anniversary year the Universal Declaration of Human Rights as a singular achievement of the community of nations;

(2) recognizes the contribution in the Declaration of Independence and the United States Constitution to the development of the Universal Declaration of Human Rights, and the role of the United States in preserving the legacy of these foundational human rights precepts through its participation in the United Nations;

(3) urges all United Nations Member States to renew their commitment to uphold and promote the transcendent principles of human dignity enshrined in the Universal Declaration of Human Rights, especially on behalf of the world's most vulnerable persons and those who have no power to advocate on their own behalf; and

(4) joins with colleagues inspired by the spirit of goodwill in parliaments throughout the world in seeking to guide the United Nations and its agencies to serve as effective instruments of genuine and lasting justice and peace among nations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentlewoman from Florida (Ms. ROSELEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Mr. Speaker, I rise in strong support of this resolution and yield myself as much time as I may consume.

I want to congratulate our colleague Mr. FORTENBERRY for putting forth this very important resolution. He's a very valued member of our subcommittee, and he has been a strong supporter of issues of goodwill.

This resolution celebrates the 60th anniversary of the United Nations Universal Declaration of Human Rights, the first international agreement on the rights of humankind. The universal declaration proclaims the inherent dignity and equal and inalienable rights of all members of the human family. It is this universal quality of the declaration that is its strength.

The core freedoms and guarantees are entitlement of all people, not just those from certain groups or cultures. As such, no government or Nation has the power to confer these rights. They are inalienable freedoms with which all people are endowed by their very nature.

The notion of inalienable rights was not invented in 1948. Socrates wrote about ethic laws that were higher than laws of kings over 2,500 years ago.

Even a proclamation of such rights is not new. The Magna Carta, the U.S. Declaration of Independence, the United States Constitution, the Bill of Rights and the French Declaration of the Rights of Men all articulated specific inalienable rights.

The power of the declaration is that it represents the first comprehensive agreement among Nations as to the specific rights and freedoms belonging to all human beings. It has become a cornerstone of customary international law, binding all governments to its principles.

In the 60 years that I have followed the adoption of the universal Declaration, expansion of the circle of human dignity has come in fits and starts. Authoritarian governments still attempt to limit freedoms proclaimed by the declaration, including political and economic pluralism, a free press, freedom of association, freedom of religion, free and fair elections, and the rule of law. Nevertheless, the declaration allows humble citizens, be they monks in Burma, political dissenters in Cuba, journalists in Russia, lawyers in Pakistan or dispossessed in Zimbabwe, a standard by which to measure and challenge any government. As such, we see roots of freedom and democracy growing in even the most repressed societies.

Our duty is to support the efforts of human rights defenders to expand the circle of human freedoms so that the declaration will, in Eleanor Roosevelt's vision, become the Magna Carta for all men everywhere. As she says, it's better to light a candle than to curse the darkness.

I urge my colleagues to support this important resolution.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of House Concurrent Resolution 332, recognizing the 60th anniversary of the Universal Declaration of Human Rights.

As we reflect on the Universal Declaration of Human Rights and the gross

violators such as Iran and Saudi Arabia, we cannot help but think about how these repressive governments manipulate international oil flows to keep us at their mercy.

We must reduce our reliance on these unstable foreign energy sources, and the way to do that, Mr. Speaker, is by finding alternatives to oil dependence. The U.S. should lead the way; yet we're stuck in the past as our global competitors are indeed pursuing 21st century technologies. We must commit ourselves to a comprehensive energy reform policy that will improve energy efficiency and encourage investment in ground-breaking research and advance alternative and renewable energy technologies.

Much like the situation we're facing on human rights at the United Nations, we shouldn't wait 60 years to address the increasing problem of our foreign dependence on oil.

Mr. Speaker, 60 years ago and without a dissenting voice in the United Nations General Assembly, we recognized the fundamental human rights to life, to liberty, to freedom of religion, to freedom of expression, to self-government through free elections, to freedom from slavery and torture and so many other basic rights. The Universal Declaration of Human Rights was the product of remarkable international consensus, and it captured the distilled conscience of the world in one of the United Nations' finest moments.

It was not an international law or covenant, and it did not claim to be creating the rights that it included. Rather, its purpose was to serve as a common standard of achievement for all peoples that is premised on faith in fundamental human rights and the dignity and worth of the human person.

We are fortunate and, indeed, truly blessed to live in a country whose constitutional heritage has served to secure those aspirations for all of America's people. But for so many people in the world, the ideals of the universal Declaration are nothing more than an unkept promise.

In Burma, in Cuba, North Korea and Zimbabwe, and many other Nations, people suffer at the hands of self-seeking tyrants and brutal dictatorships. Millions of others endure the scourges of human trafficking, of religious persecution, and other offenses against human dignity.

For those reasons, the universal declaration remains a valuable touchstone, and the United States remains committed to promoting the values that it espouses.

For this anniversary, however, it is also a sad opportunity to reflect on how far the United Nations and its human rights bodies have fallen from the lofty aspirations of the original declaration.

The United Nations Human Rights Council, formed to replace the discredited United Nations Human Rights Commission, has devolved into an offensive farce even worse than its predecessor.

The Council embraces some of the world's most notorious human rights abusers as its members and has ignored genuine human rights advocacy in favor of a relentless, single-minded attack on the democratic, freedom-loving, multi-party State of Israel. In its session in March, the Council passed more resolutions against Israel than against Burma, North Korea, and Sudan combined, and it failed to comment at all on abuses by Iran, Cuba or Uzbekistan.

The Council recently elected Jean Ziegler, a man who has compared Israel to Nazis, and approved a notorious Israel basher as the new Special Rapporteur on Israel and the Palestinian territories, Mr. Speaker. The Council approved this mandate in the very same session that it discontinued its observation of the Congo where rape is used as a weapon against women and children.

In December 1948, Mr. Speaker, the United Nations General Assembly proclaimed the Universal Declaration of Human Rights 1 year and 2 weeks after it adopted a resolution creating the Jewish State that became Israel. It is both tragic and offensive that extremists have been allowed to hijack the U.N. human rights apparatus and turn the United Nations' noblest intentions into a weapon against a democratic country.

It is my hope that the United Nations can somehow recover its moral foundation and credibly place the ideals of the Universal Declaration of Human Rights back at the center of its operations.

□ 1345

Human dignity and American values demand no less.

I urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield 3 minutes to the gentlelady from Texas, chairwoman of the Homeland Security Subcommittee on Transportation, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Let me thank the distinguished chairperson of the Africa Subcommittee on Foreign Affairs and the full committee chair, Mr. BERMAN, and the ranking member of the full committee, Ms. ILEANA ROS-LEHTINEN, and the ranking member of the subcommittee that Mr. PAYNE chairs.

This is an important reiteration of this Congress' commitment to the premises of the Universal Declaration of Human Rights. And I might read, in part, the language of this declaration that says, "The recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world."

I believe that there is no better time than the time that we are engaged in today, the era of the world status, to reemphasize the importance of the Universal Declaration of Human Rights.

The United Nations General Assembly proclaimed it on December 10, 1948, and the language stated that it was declared as a "common standard of achievement for all peoples and nations." Sadly, in the 21st century, when we would hope to be celebrating the foundation of freedom, justice and peace to the world, the world is conflicted. It is conflicted in Iraq, where the different, distinctive ethnic groups of Shiites, Sunnis and Kurds are engaged in violations, respectively, of each of them by the other. And so even in a place of disruption in Iraq, in a war that I oppose, we have concerns that are ignoring the Universal Declaration of Human Rights. We must call for the protection of human rights in Iraq. We must call for the protection of human rights in Iran.

Today, I had the chance to speak to a young woman in Iran long distance, international conversation to Miriam, a young woman of 22, who had a wonderful vision in front of us for freedom, and the ability to be the best interior designer the world would know. To do that, she must have freedom, justice and peace in the world. The Universal Declaration of Human Rights must apply to Iran.

And as we look to the tragedy in Burma, now some weeks old, to understand that the junta continues to oppress those who suffer from the terrible and horrific tragedy that occurred, that people sit along roadsides trying to find, if you will, the resources that will come to them through the international aid organizations, and their oppressive regime is denying them that right.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. PAYNE. I yield the gentlelady an additional 2 minutes.

Ms. JACKSON-LEE of Texas. Can you imagine that the human rights and dignity of those who are already brutalized through a horrific tragedy of catastrophic proportions are now denied their human dignity because this oppressive regime in Burma refuses to allow the international aid organizations to go forward?

I hope by our reemphasizing this declaration, that we will stand in abhorrence, in outrage over such undignified treatment. And then I would ask, as we move forward, that we can no longer tolerate the genocide in Sudan, and the completely reckless response of the Sudanese Government in Khartoum to the dignity and human rights of those in Darfur.

We have a litany of those. Those Tibetans who continue to fight every day in Tibet simply to be acknowledged, simply to allow the Dalai Lama to return over religion reasons. And to think that he has to be denied the right to come back over religion reasons, Mr. Speaker. They allow him to come on political reasons, on government affirmation, on saluting the government, but just to be able to engage in his religious, if you will, expla-

nation, he is denied his human rights, the foundation of freedom, justice and peace in the world. We could give a roll call along the way of the travesties of justice.

Might I compliment and announce the change-around in Liberia with President Johnson, who recognized a nation that had literally burned the principles of human dignity and human rights; now, with her stellar leadership, she is restoring the dignity to the Liberian people.

It can be done. It can be done in Sudan. It can be done in Bangladesh. It can be done in Burma. It can be done in North Vietnam. It can be done in places where oppression exists. But I rise today to recount the tragedies of denial of human rights, but also to applaud those who have overcome. And I believe it is our responsibility to not only applaud them, but to encourage them.

I ask my colleagues to support this legislation, and let us do it by words and deeds.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. FORTENBERRY), the author of this resolution.

MR. FORTENBERRY. Mr. Speaker, I am honored to pay tribute today to a pre-eminent achievement of 20th century statesmanship, an example of U.S. leadership in the quest for securing fundamental dignity for all human persons.

I would also like to thank Ranking Member ROS-LEHTINEN and her staff, as well as Chairman BERMAN and Mr. PAYNE, my subcommittee chairman, as well for their work in bringing this important resolution before the House.

Mr. Speaker, it was on December 10, 1948 that the memory of a brutal world war, which took over tens of millions of lives, scarred millions of survivors of an unimaginable holocaust, and unleashed the full fury of atomic power on the guilty as well as the innocent, remained vividly etched in the world's collective consciousness that led to this important moment.

In view of this unprecedented devastation, and in the hope of preventing future conflict, the United Nations General Assembly proclaimed a Universal Declaration of Human Rights as "a common standard of achievement for all peoples and all nations." And it also recognized that "the inherent dignity and equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world."

As the memory of World War II fades and recedes into history, it becomes ever clearer to me that our rapidly changing world appears to be losing sight of the guiding principles that have accompanied the promotion of human dignity, peace and prosperity since the earliest progression of civilization. I also believe we are living in a day when the myriad of distractions of modern life in the United States leave precious little time for philosophical

reflection upon the foundations which have guided this Nation through many turbulent times.

To draw attention to these important principles and the pivotal role of the United States in bringing the Universal Declaration to fruition, I was pleased, along with Mr. DELAHUNT, to introduce this resolution to recognize the 60th anniversary of the Declaration of Human Rights. It is my hope that this effort will serve as a vivid reminder of the profound contributions of the United States throughout our short history as a champion of human rights around the world, of the work that is left to be done, and inspire thoughtful reflection on the transcended principles of human dignity.

Mr. PAYNE. Mr. Speaker, I do believe that the Universal Declaration of Human Rights is extremely important. We have to work to have the United Nations. And we certainly celebrate this 60th anniversary.

I urge support for this resolution. I'd like to thank Mr. BERMAN, Ms. ROS-LEHTINEN and, of course, Mr. FORTENBERRY for this very timely resolution.

Mr. Speaker, I yield back the balance of my time.

Ms. ROS-LEHTINEN. I thank the gentleman from New Jersey.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 332, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF THE INTERNATIONAL YEAR OF SANITATION

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 318) supporting the goals and ideals of the International Year of Sanitation, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 318

Whereas, in 2000, the United States, along with other world leaders, at the 55th United Nations General Assembly, committed to achieving the Millennium Development Goals which provide a framework for countries and international organizations to combat such global social ills as poverty, hunger, and disease;

Whereas one target of the Millennium Development Goals is to halve by 2015 the proportion of people without access to safe drinking water and basic sanitation, the only target to be codified into United States law in the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109-121);

Whereas the lack of access to safe water and sanitation is one of the most pressing environmental public health issues in the world;

Whereas over 1,000,000,000 people live without potable water and an estimated 2,600,000,000 people do not have access to basic sanitation facilities, which includes 980,000,000 children;

Whereas every 20 seconds a child dies as a direct result of a lack of access to basic sanitation facilities;

Whereas only 36 percent of sub-Saharan Africa and 37 percent of South Asia have access to safe drinking water and sanitation, the lowest rates in the world;

Whereas at any one time almost half of the developing world's people are suffering from diseases associated with lack of water, sanitation, and hygiene;

Whereas improved sanitation decreases the incidences of debilitating and deadly maladies such as cholera, intestinal worms, diarrhea, pneumonia, dysentery, and skin infections;

Whereas sanitation is the foundation of health, dignity, and development;

Whereas increased sanitation is fundamental for reaching all of the Millennium Development Goals;

Whereas access to basic sanitation helps economic and social development in countries where poor sanitation is a major cause of lost work and school days because of illness;

Whereas sanitation in schools enables children, particularly girls reaching puberty, to remain in the educational system;

Whereas according to the World Health Organization, every dollar spent on proper sanitation by governments generates an average of \$7 in economic benefit;

Whereas improved disposal of human waste protects the quality of water sources used for drinking, preparation of food, agriculture, and bathing;

Whereas, in 2006, the United Nations, at the 61st Session of the General Assembly, declared 2008 as the International Year of Sanitation to recognize the progress made in achieving the global sanitation target detailed in the Millennium Development Goals, as well as to call upon all Member States, United Nations agencies, regional and international organizations, civil society organizations, and other relevant stakeholders to renew their commitment to attaining that target;

Whereas the official launching of the International Year of Sanitation at the United Nations was on November 21, 2007; and

Whereas the thrust of the International Year of Sanitation has three parts, including—

(1) raising awareness of the importance of sanitation and its impact on reaching other Millennium Development Goals;

(2) encouraging governments and their partners to promote and implement policies and actions for meeting the sanitation target; and

(3) mobilizing communities, particularly women's groups, towards changing sanitation and hygiene practices through sanitation health education campaigns: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports the goals and ideals of the International Year of Sanitation;

(2) recognizes the importance of sanitation on public health, poverty reduction, economic and social development, and the environment; and

(3) encourages the people of the United States to observe the International Year of Sanitation with appropriate recognition, ceremonies, activities, and programs to dem-

onstrate the importance of sanitation and hygiene in achieving the Millennium Development Goals, and to support developing countries in their efforts to achieve the Millennium Development Goal target on basic sanitation among populations at greatest need.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes. The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Mr. Speaker, I rise in strong support of this resolution and yield myself as much time as I may consume.

First of all, I'd like to thank my colleagues on the Foreign Affairs Committee, Ranking Member CHRIS SMITH and Congresswoman SHEILA JACKSON-LEE as well as Representative CHRIS SHAYS for being lead sponsors on H.Con.Res 318, which supports the United Nations Declaration of 2008 as the International Year of Sanitation. Their bipartisan support has helped to bring this resolution to the floor for a vote. I also would like to thank Senator RICHARD DURBIN, who introduced the Senate companion to this concurrent resolution.

In September 2000, the United Nations adopted the eight Millennium Development Goals to challenge the global community to reduce poverty and increase the health and well-being of all peoples. Two years later, in September of 2002, at the World Summit on Sustainable Development in Johannesburg, the United States and the rest of the international community reaffirmed these goals and added access to basic sanitation as a centerpiece of the poverty eradication commitments. The target to halve the proportion of people without access to the basic sanitation by 2015 was defined in the Johannesburg Plan of Action.

In September of 2005, President Bush addressed the United Nations General Assembly, at which time, as I was the U.S. delegate from the House to the United Nations, I was very pleased that President Bush recommitted the United States to achieving the Millennium Development Goals.

Last year, the United Nations declared 2008 as the International Year of Sanitation in order to recognize the great strides that have been made towards increasing access to sanitation for people around the world. However, it is also a time to galvanize member nations, U.N. agencies, regional and international organizations, and other relevant stakeholders to renew their commitment.

Access to basic sanitation is something so simple, yet so fundamental to everyday life. Well, simple, at least, for the majority of people who live in the developed world. An estimated 2.6 billion people live in an environment where they do not have access to proper toilet facilities and human waste cannot be properly disposed. And approximately 1.1 billion people have no access to any type of improved drinking sources of water. As a direct consequence, over 1.6 million people die every year from easily preventable diseases attributable to lack of access to safe drinking water and basic sanitation. Ninety percent of those are children under five, mostly in developing countries.

This lack of access to basic sanitation affects everything from how food is grown and prepared to the ability of girls and young women to attend school. Sanitation is an obvious issue of health, but also one of dignity, physical safety and development.

Halving the proportion of people without access to basic sanitation is a target of the seventh Millennium Development Goal, which is to ensure environmental sustainability. In fact, it is vital to the success of other Millennium Development Goal targets in order for them to reach their goal.

Access to proper sanitation is essential to reducing childhood and maternal mortality. It can help reduce the symptoms associated with HIV and AIDS. It can also improve the living conditions of 100 million-plus people living in slums.

□ 1400

The dividends that increased access to basic sanitation pay are multifold. Depending on the region of the world, economic benefits have been estimated to range from \$3 to \$34 for each dollar invested in access to basic sanitation and safe water. According to the United Nations, meeting this MDG target will yield nearly \$200 billion in annual benefits. If we meet this goal, people and governments will save more than \$500 million in direct health treatment costs and get back more than 3 billion working days that are now lost to sanitation-related illnesses. Reducing the incidences to sanitation-related diseases will add nearly 200 million days of school attendance.

As we in Congress work to increase access to lifesaving medication and strengthening health care infrastructures, we must remember that the success of such initiatives is, in part, dependent upon individuals having access to basic sanitation. Let us use this time to also refocus our efforts on strengthening one of the basic pillars upon which global health must stand, proper sanitation.

I strongly support this resolution and ask that my colleagues back H. Con. Res. 318, which supports the ideals and goals of the International Year of Sanitation.

I reserve the balance of my time, Mr. Speaker.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 318, authored by my good friend from New Jersey (Mr. PAYNE).

Lack of access to clean drinking water and sanitation are indeed some of the most pressing environmental public health issues in the world. Today, an estimated 2.6 billion people, including almost 1 billion children, live without access to basic sanitation facilities. Every 20 seconds, a child dies as a direct result.

In fact, it is estimated that nearly half the developing world suffers from preventable diseases associated with the lack of access to clean water, sanitation and hygiene. Without sufficient access to these services, countries, communities and families become susceptible to and are often defenseless against life-threatening diseases and infections which perpetuate this horrible cycle of poverty.

As this resolution notes, sanitation improves health. It saves lives. It protects the environment. It improves economies. And it contributes to human dignity and social development. It is imperative that the United States and the international community work together to achieve the goals of the Millennium Development Account and significantly reduce the number of people suffering from a lack of sanitation and clean water.

Another pressing issue is one that underscores the potentially grave future that we may face if we don't immediately address rising energy costs and find alternative sources of energy to carry out our daily tasks, some critical tasks such as the energy required to filter our water supply. This resolution also reminds us, however, that necessity is the mother of invention, and that human beings have the potential to achieve any task necessary to improve living conditions.

How does it remind us of this? In Africa, for example, where there are areas that lack consistent and dependable sources of oil to produce electricity, they must develop and rely on alternative methods, sometimes primitive ones, such as fire for boiling water to avoid disease. Again, in the most remote region of the world, we are thinking of alternative sources and alternative methods. We here must also think and seek alternative clean energy. Will we wait until circumstances are so dire that American will be forced to boil their water in their backyards to conserve the little energy available because we failed to develop alternative sources today?

Just as we seek to foster ingenuity in the developing world to provide greater access to clean drinking water and basic sanitation in resource-poor settings, we must foster such ingenuity in our own energy sector.

I thank Chairman PAYNE for introducing this timely resolution which

highlights the important issues of clean water, sanitation and hygiene. And I urge my colleagues to fully support House Concurrent Resolution 318.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. PAYNE. I yield 3 minutes to the gentlelady from Texas, Representative SHEILA JACKSON-LEE.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I would like to thank the distinguished gentleman and the ranking member of the subcommittee and the chairman and the ranking member of the full committee. I would like to thank Chairman PAYNE in particular for introducing this important resolution. And I am very proud to cosponsor it because it is clearly a life-and-death matter. When you talk about sanitation and the removal of waste and the removal of sewage, you are talking about the lives of children. And as the cochair of the Congressional Children's Caucus, let me acknowledge that the most vulnerable to unsanitary conditions are children. In the disease that spreads, they are, in fact, the victims.

Global sanitation coverage has increased from 49 to 59 percent between 1990 and 2004. And that is, in essence, allowing over 1 billion people throughout the world to gain improved sanitation in the past 14 years. Pregnant women, nursing mothers and, of course, young children are, in fact, the bigger victims.

I am particularly troubled that 90 percent of these deaths that I have mentioned of those who died because of lack of access to safe drinking water and basic sanitation are children under 5, mostly in developing countries. As I mentioned, children are particularly hard hit by poor sanitation, paying a high price through missed schooling, disease, malnutrition and even death. An estimated 1.5 million children die each year due to poor sanitation, hygiene and unsafe water. UNICEF reports that girls are particularly vulnerable, missing out on schooling once they hit puberty, due to the lack of clean and safe latrines.

As the world's only remaining superpower, I think it is important to avert this humanitarian crisis. Chairman PAYNE, I believe that this is an important, constructive way of avoiding this massive death. Simply put, the Millennium Development Goal on basic sanitation would avert 470,000 deaths. And it would continue to do so. According to economic analysis, depending on the region of the world, economic benefits have been estimated to range from \$3 to \$34 for each dollar invested in it.

Let me just indicate that this is common sense. It is, again, human dignity. And as I close, let me also add my support for H. Con. Res. 337 honoring the Seeds of Peace. It is a program that I am very much aware of, having participated with the young people who have come from Israel and Palestine who

have sat down together as teenagers and said we want peace. It was founded by John Wallach. Seeds of Peace initially brought 46 Israeli and Arab youths together. It has spread now to Greece, Turkey, Cyprus, the Balkans, India, Pakistan and Afghanistan. These summer camps are enormously important. Again, the Congressional Children's Caucus believes that children are not only our tomorrows, they are our yesterdays and today's.

And I want to thank the chairman of the subcommittee for his leadership in these areas. And with that I ask my colleagues to support H. Con. Res. 318 and as well the following bill H. Con. Res. 337. And again, I thank Mr. PAYNE for his leadership.

I rise today in strong support of H. Con. Res. 318, "supporting the goals and ideals of the International Year of Sanitation." I would like to thank my colleague Congressman PAYNE for introducing this important resolution, which I am proud to cosponsor, as well as the Chairman of the Committee on Foreign Affairs, Congressman BERMAN, for his leadership in bringing this resolution to the floor today.

Mr. Speaker, In 2007, the United Nations declared 2008 to be the International Year of Sanitation, to raise awareness of the importance of sanitation and its impact on reaching other Millennium Development Goals and to recognize progress made in achieving the global sanitation target detailed in the Millennium Development Goals. In addition, the International Year of Sanitation is intended to call upon all Member States, United Nations agencies, regional and international organizations, civil society organizations, and other relevant stakeholders to renew their commitment to attaining the target.

As my colleagues are aware, in September 2000, the United Nations adopted the eight Millennium Development Goals (MDGs) that challenged the global community to reduce poverty and increase the health and well-being of all peoples. Two years later, in September 2002, at the World Summit on Sustainable Development in Johannesburg, the United States and the rest of the international community reaffirmed these goals and added access to basic sanitation as a centerpiece of the poverty eradication commitments. The target to halve the proportion of people without access to basic sanitation by 2015 was defined in the Johannesburg Plan of Action.

We have begun to make important progress. Over one billion people, throughout the world, have gained access to improved sanitation in the past 14 years. Global sanitation coverage has increased from 49 percent to 59 percent between 1990 and 2004. These gains represent substantial improvements in the quality of life and basic health for countless people.

Mr. Speaker, despite the establishment of these goals, billions of people still lack access to safe drinking water and sanitation, and we are not on target to meet the Millennium Development Goal to reduce by half the proportion of people without access to basic sanitation by 2015. Today, over 2.4 billion people—half the developing world—lack access to basic sanitation and 1.1 billion people have no access to any type of improved drinking source of water. As a direct consequence, over 1.6 million people die every year from easily preventable diseases attributable to lack

of access to safe drinking water and basic sanitation.

As Chair of the Congressional Children's Caucus, I am particularly troubled that 90 percent of these deaths are children under 5, mostly in developing countries. Children are particularly hard hit by poor sanitation, paying a high price through missed schooling, disease, malnutrition, and even death. An estimated 1.5 million children under five die each year due to poor sanitation, hygiene, and unsafe water.

In addition to claiming too many young lives, poor sanitation reduces children's ability to grow and develop, stunting the economic and social development of the entire nation. UNICEF reports that girls are particularly vulnerable, missing out on schooling once they hit puberty due to the lack of clean and safe latrines.

As the world's only remaining superpower, the United States has a moral obligation to take the lead in averting humanitarian catastrophe. Increased access to sanitation would have an enormous impact on the lives of people throughout the world. Simply put, meeting the Millennium Development Goal on basic sanitation would avert 470,000 deaths. In addition, achieving the target would bring enormous economic gains. Meeting the Millennium Development Goal would result in an extra 320 million productive working days every year, and would bring considerable benefits to investment. According to economic analysis, depending on the region of the world, economic benefits have been estimated to range from \$3 to \$34 for each dollar invested in access to basic sanitation and safe water.

Mr. Speaker, even as our attention is consumed by rising food and fuel prices, it is vital that we do not lose focus of the equally vital goal of basic sanitation. The resolution that we are considering today recognizes the importance of sanitation on public health, poverty reduction, economic and social development, and the environment and encourages all Americans to observe the International Year of Sanitation with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of sanitation, hygiene, and access to safe drinking water in achieving the Millennium Development Goals.

Mr. Speaker, the benefits of meeting the Millennium Development Goal on basic sanitation would be dramatic and global. We have the opportunity to drastically improve the international community's ability to reduce global poverty, and to improve the health of people worldwide. I strongly urge my colleagues to join me in supporting this important resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, at this time, I would like to yield 5 minutes to the gentleman from New Jersey (Mr. SMITH), the ranking member of the Subcommittee on Africa and Global Health. I hope that he addresses not just this resolution, but the one before us on human rights.

Mr. SMITH of New Jersey. I thank my good friend, the ranking member, for yielding.

Mr. Speaker, I was unavoidably detained and didn't get here in time to speak on the resolution lauding the Universal Declaration of Human Rights.

The Universal Declaration of Human Rights is among the most durable, en-

during, inspiring and historic set of fundamental principles ever enunciated by anyone ever in history. It ranks right up there with the Magna Carta. It ranks right up there with the U.S. Bill of Rights, which obviously enumerated a number of our fundamental freedoms that we love and enjoy as Americans.

The Universal Declaration of Human Rights, 60 years after its adoption, continues to serve as a backdrop to judge government policies and behaviors toward its citizens. And that is especially important as to how a government treats the weak, its most vulnerable and those who might otherwise be disenfranchised.

The Universal Declaration of Human Rights is a promissory note. It's a paper promise that must be backed by deeds. It has only, however, been realized in part over the last 60 years. It is a work in progress. The Declaration inspires people to realize that they, as human beings, endowed by God, by our Creator, with certain inalienable rights, ought to fight for those rights. And this gives them a very useful tool in that endeavor, a means to that end.

The Universal Declaration of Human Rights has emphasized a number of important and hallowed rights, including religious freedom, the right to life, freedom from torture, equal protection, due process, labor rights and freedom of assembly. Under it, no one should ever be left behind. And that means that regardless of race, ethnicity, age, disability, or condition of dependency, no one should be left behind.

We know in many countries of the world, sadly that is not the case. In places like the People's Republic of China, human rights are systematically and pervasively violated by Beijing, whether it be religious freedom or the outrages we recently saw in Tibet, where the government crackdown crushed dissent with an iron fist. China persecutes the Uighurs in the autonomous region and families, especially women as part of their draconian one-child-per-couple policy which has made brothers and sisters illegal throughout China. That's right. Brothers and sisters are illegal in the People's Republic of China. A couple is required to get government permission to have a child. And forced abortion and huge fines are imposed on women and men who do not submit to the plan. In Burma and North Korea, human rights are also violated with grave impunity. And the U.N. Human Rights Council and other bodies of the U.N. need to do more to implement the intent of the Universal Declaration of Human Rights. Sadly, they have largely failed.

We have seen a very disturbing rise in anti-Semitism throughout Europe, certainly in the Middle East, and even in the United States and Canada. That too has to be combated. We see a rise in modern-day slavery, human trafficking—sex trafficking or labor trafficking. That needs to be combated and eradicated and victims assisted. Everyone should be free of that kind of ter-

rible and despicable mistreatment. The Sudan, Zimbabwe, the genocide occurring in the Darfur region of Sudan is also a grave violation of human rights, completely antithetical to the Universal Declaration of Human Rights. Like the last, this is a century of victims.

And let me say before the West gets too smug about how well we are doing, we, too, have our problems. We see them every day. We have fallen short of the standard. I respectfully submit to my colleagues that we have failed to treat the defenseless unborn child with compassion and justice. We know now more than we have ever known before about the magnificent world of an unborn child. Ultrasound, 4-D ultrasound, the ability to do intrauterine blood transfusions and microsurgery have shattered the myth that an unborn child is somehow not human or alive. Of course they are. We know that these babies are society's littlest patients, in need of care and love, increasingly surviving at earlier, earlier times if born prematurely.

Abortion needs to be looked at, in my opinion, Mr. Speaker, as a serious violation of human rights. Abortion is violence against children. The dismemberment or chemical poisoning of a baby is antithetical to the Universal Declaration of Human Rights. All abuse is contrary to the Declaration and that holds true no matter how old you are, and that includes unborn children. We also know abortion hurts women psychologically and physically. And that evidence grows by the day.

So I would hope that we would look at human rights as being for everyone, at all times, regardless of age, condition of dependency, regardless of race, no matter where you live. The universal declaration is for you. We need to speak out more boldly with better, more focused appeals employing all the tools at our disposal, linking sanctions and withholding of certain aid if a country doesn't live up to the Universal Declaration of Human Rights.

Again, the Declaration is a backdrop. And I hope that we do even better than we have in the past. The past has been checkered. Certainly we have moved the ball down the court. Much more needs to be done however to respect everyone's fundamental human rights.

I thank my colleagues.

Mr. PAYNE. I yield 4 minutes to the gentleman from Oregon, the member of the Budget Committee and one of the leading environmentalists in the House, Mr. BLUMENAUER.

□ 1415

Mr. BLUMENAUER. I appreciate the gentleman's courtesy, as I appreciate his leadership on this, and look forward to watching this legislation pass today.

It was my pleasure to be in Johannesburg in 2002 when sanitation was added to the Millennium Challenge Development Goal to create a comprehensive framework for the needs of the world's poorest. But I am saddened

that we are here today, still repeating those horrible statistics about over 1 billion who lack access to safe drinking water, more than 2 billion who lack access to sanitation.

I would only take exception to my good friend from Florida's comments a moment ago, because I have been told that a child dies needlessly every 15 seconds. But whether it is 20 seconds or 15 seconds, it is absolutely scandalous that in this day and age, when we know what to do, when for less than the price of a take-out pizza per year per family, the United States alone could be transformational on that. One reflects on what difference it would make, not just those children that wouldn't die needlessly. It would translate into over one-quarter billion additional days in school. It would save over \$7 billion in unnecessary medical costs. It would allow one-third of a trillion working days for young people from age 15 to 39 worldwide. And, make no mistake about it, it makes a difference for those of us in the United States.

First of all, pollution any place in the world finds its way into the water supply and makes a difference for us. Make no mistake, that at a time when virtually no one in the world is more than 24 hours away from anybody else watching disease break forth unnecessarily, it is not just a tragedy in some remote village or some southern hemisphere megacity. It can make a difference for the health of Americans here and abroad. And when the CIA has identified urban instability and decay as one of the seven greatest causes of threats to our security, this compounds our problem with global unrest and terrorism.

I am pleased that we have been able to work together with Mr. PAYNE. In my prior tenure on the Foreign Affairs Committee, we passed the Water for the Poor Act in 2005 and acknowledged the late Mr. Lantos and former colleagues Leach, Hyde and Senator Frist. But we are not even fully implementing that legislation 3 years later. I commend the gentleman for his oversight hearing to help the Department of State to understand what is going to be necessary to fully implement this legislation.

Mr. Speaker, we are halfway through the International Year of Sanitation. It is time for us to reflect on what we are going to do about this problem. This isn't some remote goal that is beyond our capacity. Girl Scout troops, churches, synagogues and Rotary Clubs know what to do and in fact they are acting at a grassroots level to do something about it. We in Congress need to do our job supporting Mr. PAYNE with the accountability of the State Department.

The SPEAKER pro tempore (Mr. SERRANO). The time of the gentleman has expired.

Mr. PAYNE. I yield an additional minute to the gentleman from Oregon.

Mr. BLUMENAUER. One of the most important things we can do is to work

to transfer unnecessary military assistance. The United States is lavishing huge sums of money for military aid on countries like Egypt and Pakistan, where it is dubious in terms of the outcome of security for us or anybody else, but they have populations that are desperately in need of clean water and sanitation. We need to reorder our priorities to be able to achieve this goal.

Back in 2002 when we added sanitation, 2015 seemed like a long way away. Well, we are halfway there, in terms of time, but we are not halfway there in terms of accomplishment. I hope that this resolution will be a little nudge to us all to make sure that we do our part. I appreciate the gentleman's courtesy and his leadership.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, so I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I would just like to say that I urge support of this resolution. As the previous speaker indicated, we passed legislation called Water For the Poor, and in our oversight hearing I was looking for places like Burkina Faso in Niger that had no water, but found that the money was allocated to Iraq and Afghanistan. "Water for the Poor" was what it was called, not "Water for the War."

So we need to be sure that when we pass legislation, that it goes to the intended recipients and not for other purposes. If other purposes must be done, put them in another budget. There is plenty of money in other budgets and no one ever opposes them. So put it over there, and leave our Water for the Poor for the countries that are actually and really poor.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SERRANO). The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 318, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PAYNE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

HONORING SEEDS OF PEACE

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 337) honoring Seeds of Peace for its 15th anniversary as an organization promoting understanding, reconciliation, acceptance, coexistence, and peace in the Middle East, South Asia, and other regions of conflict.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 337

Whereas Seeds of Peace, founded by the late John Wallach, is a program that brings together young people and educators from regions of conflict to study and learn about coexistence and conflict resolution;

Whereas these young people study and learn primarily at an international conflict resolution summer camp operated by Seeds of Peace in Otisfield, Maine, and also through its regional programs such as the facilitation training course in the Middle East, the homestay programs in South Asia, and international regional conferences;

Whereas the first international conflict resolution camp welcomed Israeli, Palestinian, Jordanian, and Egyptian youths in the summer of 1993, and has since expanded to involve youths from other regions of conflict, including from Greece, Turkey and divided Cyprus, the Balkans, India, Pakistan, and Afghanistan;

Whereas Seeds of Peace utilizes the summer camp to initiate dialogue between the youths of the United States and the youths from various conflict regions to dispel hatred and create religious and cultural understanding;

Whereas Seeds of Peace regional programs have trained hundreds of educators to teach peaceful conflict resolutions techniques in their classrooms, positively influencing thousands of students;

Whereas Seeds of Peace works to dispel fear, mistrust, and prejudice, which among others are root causes of violence and conflict, and to build a new generation of leaders who are committed to achieving peace;

Whereas Seeds of Peace reveals the human face of those whom youth may have been taught to hate, by engaging campers in both guided coexistence sessions and ordinary summer camp activities such as living together in cabins, sharing meals, canoeing, swimming, playing sports, and creative exploration through the arts and computers;

Whereas long-term peace between Arabs and Israelis, Indians and Pakistanis, and Afghans and Pakistanis can only be achieved with the emergence of a new generation of leaders who will choose dialogue, friendship, and openness over violence and hatred;

Whereas Seeds of Peace provides year-round opportunities via regional programming and innovative technology to enable former participants to build on the relationships forged at camp, so that the learning processes begun at camp may continue subsequently in the participants' home countries;

Whereas youth graduates of the camp, known as Seeds, currently number over 4,000, with an additional 567 adult delegation leaders also having completed Seeds of Peace training;

Whereas this graduate network receives continued support from Seeds of Peace in promoting professional cooperation;

Whereas Seeds of Peace is strongly supported by participating governments and many world leaders; and

Whereas continued partial Federal funding for Seeds of Peace demonstrates its recognized importance in promoting peaceful resolution of conflicts as a primary goal of United States policy: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) reaffirms that youth should be involved in long-term, visionary solutions to violent conflicts;

(2) honors the accomplishments of Seeds of Peace in its 15 years of promoting understanding, reconciliation, acceptance, coexistence, and peace among youth from the Middle East and other regions of conflict around the world; and

(3) views Seeds of Peace as a highly creative and successful effort to achieve reconciliation among peoples from areas of conflict, which inspires great hope that nations in conflict ultimately can learn to live together in peace, cooperation, and security.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PAYNE) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PAYNE. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Con. Res. 337, a resolution honoring Seeds of Peace for its 15th anniversary as an organization promoting tolerance and peaceful coexistence in the Middle East and around the world.

While the peace process has had its ups and downs over the last 15 years, Seeds of Peace has blossomed into a widely recognized organization that has facilitated interaction among thousands of young people and young leaders and educators from all around the world.

Seeds of Peace lays a foundation for sustainable peace by promoting dialogue among young leaders before their fears, mistrust and inherited prejudices have permanently shaped their vision of their enemy. We get them in time to prevent that from happening.

After a summer program in Maine, which also includes many American participants, these young seeds, as they are known, and their teachers, continue with regional and international programming that furthers the dialogue among and across nationalities and supports the development of future leaders. Seeds of Peace also fulfills an important recommendation of the 9/11 Commission, reaching out to young people, particularly in Arab and other Muslim countries, and offering them hope and a positive vision of the future.

A decade and a half ago, Seeds of Peace, founded by the late John Wallach, envisioned a handful of Israeli, Palestinian, Egyptian and Jordanian teenagers coming together in the woods of Maine and breaking down barriers of mistrust. Since its inaugural

camp session 15 years ago, the mission of Seeds of Peace has grown to include not just those from the Middle East, but young people from throughout South Asia and Afghanistan. Governments negotiate agreements, but Seeds of Peace has remained as the only people that can define a quality of peace.

Every new seed, you may recall that is what they are called when they complete the course, whether he or she is in Kabul or Tel Aviv, Ramallah or Islamabad, represents one more person who has the potential and the required skills to see through mistrust and prejudice and thereby to contribute to making and building peace. That is why we seek to honor the terrific organization Seeds of Peace. That is why I urge my colleagues to join me in supporting this measure.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of House Concurrent Resolution 337, which honors Seeds of Peace on its 15th anniversary. We in Congress and all people of goodwill worldwide want to see peace, stability and security prevail in the Middle East, and indeed in all regions of conflict. However, that goal remains illusive when leaders act in ways that distort, perpetuate and aggravate otherwise resolvable disputes between nations and peoples.

Such leaders make peace impossible by programming their citizens into viewing other nations and other people as wicked, inhumane and worthy of hatred and death. The most obvious example of this phenomenon is the unceasing dissemination by Arab countries of anti-Israel and anti-Semitic propaganda. Children in the Arab world and Iran are taught using textbooks and official media to hate Israel, to hate the Jews and to forfeit their own lives in order to kill as many Israelis and Jews as possible.

Fortunately, Seeds of Peace has spent 15 years bringing together youth from the Middle East and other conflict-torn regions and encouraging them to engage their peers as fellow human beings worthy of respect and tolerance. Programs like Seeds of Peace cultivate the young leaders who can oppose violent extremism and hateful propaganda, who can promote a culture of life and seek peaceful, rational and mutually beneficial solutions to seemingly intractable conflicts.

Mr. Speaker, given that Seeds of Peace is devoted to promoting peaceful resolution of the world's most dangerous conflicts, it is important to note that the allocation of vital and scarce resources contributes to conflicts around the globe. In the Middle East, oil and natural gas resources enable many authoritarian governments to resist reform and to finance desta-

bilizing actions, including weapons programs and sponsorship of Islamic jihadists. Therefore, it is especially important for our national security and for the cause of peace worldwide for the United States to stop our dependence on foreign sources of energy.

I thank my good friend and colleague from Maine (Mr. ALLEN) for introducing this Seeds of Peace anniversary resolution. I urge the House to adopt it.

Mr. Speaker, I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), chairperson of the Transportation and Infrastructure Subcommittee on Water Resources and Environment.

□ 1430

Ms. EDDIE BERNICE JOHNSON of Texas. Let me thank the Chair and the subcommittee chairs of these committees.

Mr. Speaker, I rise in support of Representative ALLEN in bringing forth this House Concurrent Resolution 337 honoring the Seeds of Peace for its 15th anniversary as an organization.

The importance of peace in the world today is often overlooked due to the severity of constant conflict. As a mother and a lawmaker, the reality of war concerns me for the future of our Nation and the world.

Seeds of Peace is dedicated to empowering young leaders from regions of conflict with the leadership skills required to advance reconciliation and coexistence. I am proud to say that I worked with them here in Washington and in Dallas, and I have partnered with Congressman BARNEY FRANK at times to host them.

Due to its proven impact and success in the Middle East, Seeds of Peace has earned international recognition as an effective model for resolving conflict worldwide, and these are young people who have not been kept away from communication or a part of irritation of Israel.

I firmly support Seeds of Peace because I believe peace ultimately depends upon breaking down barriers and mistrust among people from these regions of conflict. Governments negotiate agreements, but only people can define the quality of peace. Innovative people-to-people programs like Seeds of Peace successfully accomplish this goal on a rather modest budget.

I am proud to support the passage of this resolution and urge my colleagues to support it. I thank Mr. PAYNE for allowing me to make these statements.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Con. Res. 337, "Honoring the Seeds of Peace for its 15th Anniversary as an Organization." I would like to thank my colleague Congressman

ALLEN for introducing this important resolution, which I am proud to cosponsor, as well as the Chairman of the Committee on Foreign Affairs, Congressman BERMAN, for his leadership in bringing this resolution to the floor today.

Mr. Speaker, fifteen years ago, in 1993, Seeds of Peace hosted its first international conflict resolution camp. In that first year, amidst regional conflict and fighting a history of hatred, the organization brought together Israeli, Palestinian, Jordanian, and Egyptian youth. Founded by journalist John Wallach, Seeds of Peace initially brought together 46 Israeli and Arab youth. Since that time, Seeds of Peace has offered summer camps for youths from conflict regions around the world and from the United States, involving young people from the initial countries as well as from Greece, Turkey, Cyprus, the Balkans, India, Pakistan, and Afghanistan. These summer camps have made enormous strides toward fostering cultural and religious understanding.

Seeds of Peace empowers a new generation of leaders with the tools they need to overcome prejudice and to communicate and negotiate effectively. The summer camps help these youth to develop empathy, respect, and confidence, while giving their "enemies" a human face. The young people who attend these summer camps are the same people who will grow up to build a future of peace and stability. There are now nearly 4,000 young Seeds of Peace leaders who are working to make a positive difference in some of our world's most troubled regions.

As Chair of the Congressional Children's Caucus, I strongly believe in investing in our children. By doing so, we are investing in our future. Long-term peace between warring parties, including Arabs and Israelis, Indians and Pakistanis, and Afghans and Pakistanis, is dependent on the emergence of a new generation of leaders able and willing to engage in constructive dialogue.

By bringing young people from different backgrounds together in a recreational environment, Seeds of Peace lays a foundation for sustainable peace by facilitating interaction among young leaders before their fears, mistrust, and inherited prejudices have permanently shaped their vision of their "enemy." After spending a summer at camp in Maine, participants and teachers continue to interact through regional and international programming, furthering the dialogue among and across nationalities. Seeds of Peace supports the development of future leaders.

In addition to these summer camps for children from conflict regions, Seeds of Peace now operates a domestic program called "Maine Seeds," addressing ethnic and racial tensions between diverse communities in Maine. Also, in 2004, Seeds of Peace launched its "Beyond Borders" initiative, bringing teens from additional Middle East countries, such as Iraq, Saudi Arabia, and Kuwait, to participate in a cultural exchange program between American and Arab youth.

Mr. Speaker, while the Arab/Israeli peace process has moved forward haltingly since 1993, Seeds of Peace has grown into a major organization that continues to foster interaction among thousands of young leaders and educators from around the world. It continues to build upon the basic premise the prejudices dispelled during youth will be prejudices dispelled for life.

I strongly urge my colleagues to join me in supporting this resolution, honoring Seeds of Peace for its fifteen years of promoting reconciliation, coexistence, and peace among youth of the Middle East and other conflict areas.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. PAYNE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 337.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE SACRIFICES AND CONTRIBUTIONS MADE BY DISABLED AMERICAN VETERANS

Ms. CORRINE BROWN of Florida. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Con. Res. 336) honoring the sacrifices and contributions made by disabled American veterans.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 336

Whereas the people of the United States have a sincere appreciation and respect for members of the Armed Forces who suffered disabling wounds while serving in the United States military;

Whereas there are approximately 2,800,000 veterans receiving benefits from the Department of Veterans Affairs for disabilities incurred while defending our Nation;

Whereas the current wars in Iraq and Afghanistan have resulted in 30,000 disabled American veterans as a direct result of combat operations, and even more so from conditions simulating war, instrumentalities of war, and hazardous duty in combat-related training;

Whereas families throughout every State in America have been affected by loved ones returning disabled from their service to their Nation;

Whereas the American public supports the brave men and women who have defended the freedom of all in America;

Whereas America owes its very integrity to her sons and daughters in uniform, who risk the most for the least, and who epitomize the extraordinary meaning of service, sacrifice, and, most importantly, freedom; and

Whereas Americans should remember and honor our men and women in uniform who incurred disabilities while defending our Nation with a Disabled American Veterans Week: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the great sacrifices made by disabled veterans and their families;

(2) calls on the people of the United States to honor all disabled American veterans and the freedom for which they sacrificed;

(3) encourages local, State, and national organizations and governmental institutions

to participate in the effort to honor the sacrifices of America's disabled veterans; and

(4) supports the goals and ideals of Disabled American Veterans Week.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. CORRINE BROWN) and the gentleman from Louisiana (Mr. SCALISE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

With House Concurrent Resolution 336, we honor the sacrifices and contributions made of our disabled veterans. The current wars in Iraq and Afghanistan have added well over 30,000 of our sons and daughters to the roles of veterans disabled in defense of our Nation, with the number continuing to grow.

Collectively, there are approximately 2.8 million veterans receiving compensation for disability incurred in the line of duty. This resolution calls for the establishment of a single week dedicated annually to each and every one of our Nation's disabled veterans.

What better time would there be for groups large and small, national and local, private and public, to come together and remember in their own way the sacrifices of the Nation's heroes? Those great Americans gave the most for the least. They have earned our lasting remembrance and much more.

It is far too easy for many to forget the true costs of war, to forget the deaths of our servicemen and to ignore the wounds of those who return. It is too easy for too many of us to think that the cost of war ends when the last soldier returns.

Our disabled veterans continue to serve our country in so many ways, bearing their wounds as a reminder to all that freedom and liberty are not free. The men and women who return wounded and disabled from combat, and service to our Nation, remind us of the terrible price we pay, not only in costs measured in dollars, but the costs measured in lives lost and changed.

It is therefore right and proper that we remember the service and sacrifice of our disabled veterans and pay tribute and honor to them during this week of Disabled American Veterans Week.

When called, they answered. When needed, they served. All Americans owe them a debt of gratitude and a heartfelt remembrance for their sacrifice and service. I am reminded of the words of the first President of the United States, George Washington, whose words are worth repeating at this time. "The willingness with which our people are likely to serve in any war, no matter how justified, shall be directly proportioned as to how they perceive the veterans of earlier wars were treated and appreciated by their country."

It is part of my service and duties to visit the veterans' hospitals and clinics

in the areas I travel to. I recently visited the medical center in Puerto Rico, dedicated a new clinic in Orange City, Florida, and, before that, the Medical Center in New Orleans.

We have been funding the VA and veterans health care at record levels, giving the VA the largest increase in funding in the history of the United States. It is our duty to oversee the VA to make sure that they are spending the money properly in the best interests of our brave men and women who defend the rights and freedom of our great Nation.

Mr. Speaker, I reserve the balance of my time.

Mr. SCALISE. Mr. Speaker, I rise in strong support of House Concurrent Resolution 336, a measure to honor the sacrifices and contributions made by America's disabled veterans. Throughout our Nation's history, the men and women of our Armed Forces have gone bravely into battle, risking their lives and livelihoods, sacrificing their safety to defend our freedom.

When their duty is done, many return home to life as it was.

Sadly, for veterans seriously injured in the line of duty, leaving the battlefield does not mark the end of conflict. These permanently disabled soldiers often carry home life-changing disabilities, harsh reminders of the price of freedom.

By supporting H. Con. Res. 336, we will recognize the great sacrifices made by disabled veterans and their families. We will call upon the people of the United States to honor disabled American veterans and the freedoms for which they sacrificed. We will encourage local, State and national organizations and governmental institutions to participate in the effort to honor the sacrifices of America's disabled veterans, and we will support the goals and ideals of Disabled American Veterans Week.

Mr. Speaker, I urge my colleagues to support this bill and reserve the balance of my time.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. I thank the gentleman.

Mr. Speaker, I rise today in strong support of this resolution establishing Disabled American Veterans Week.

I introduced this resolution to express my gratitude and to allow the entire Nation to express our gratitude to those brave men and women who have given so much in the name of freedom.

I would especially like to thank Congressmen BILIRAKIS, BOOZMAN, LYNCH and the over 100 other original cosponsors who joined me in support of this resolution.

Over 2.8 million men and women who fought for our country have sustained injuries that have forever changed their lives. It is my hope that by establishing Disabled American Veterans Week we will increase awareness of the

struggles that America's heroes face every day and encourage more support for our brave wounded warriors.

I ask my colleagues to join me today in recognizing the great sacrifices made by disabled American veterans and their families. These heroes epitomize the meaning of service and sacrifice, and this is the very least we can do to honor our Nation's disabled veterans.

Mr. SCALISE. Mr. Speaker, I yield 3 minutes to the gentlelady from Florida (Ms. GINNY BROWN-WAITE), the ranking member of the Subcommittee on Oversight and Investigations.

Ms. GINNY BROWN-WAITE of Florida. I thank the gentleman.

Mr. Speaker, I rise today on behalf of H. Con. Res. 336, a commonsense resolution that expresses support for one of the greatest segments of the American population, the disabled American veteran.

Back home in Florida, I represent nearly 110,000 veterans, the second highest number of any Member of Congress. As you might guess, many of these brave men and women are disabled, either injured in battle or in the course of their service in the United States military.

Disabled veterans are cared for by military professionals at the VA. They also band together in veterans organizations like the Disabled American Veterans, Paralyzed Veterans of America, or Blinded Veterans Association.

However, there was no Federal recognition in place for Americans specifically to remember the deeds and heroism of disabled veterans.

The concurrent resolution before us today calls for the establishment of a Disabled American Veterans Week and shows all disabled veterans that Congress does not forget their bravery and actions in service to our great Nation.

You know, every weekend I returned home to Florida to meet with my constituents and hear their needs and concerns and what I can do to serve the men and women who live in the Fifth Congressional District.

I often hear words of thanks for voting in support of drilling in ANWR and in the Outer Continental Shelf, or get asked what Congress is going to do to stop the outrageous increase in the cost of gasoline that we have seen since our colleagues across the aisle took over the House and Senate.

However, the most poignant and heart-wrenching stories I hear are oftentimes from veterans. As you might expect, I attend dozens of veterans events throughout the eight counties in my district. It is, indeed, at these events that I hear stories of courageous deeds, heroic actions and lives forever changed by the ravages of war.

Disabled veterans have given so much to this Nation with their blood, sweat and tears, lying on the battlefields from Germany, to Korea, to Vietnam, to Iraq and Afghanistan.

This resolution calling for a Disabled American Veterans Week shows the

thousands of men and women who served with honor and distinction that Congress will see that their memories and deeds are never forgotten.

I thank my colleague, Mr. ALTMIRE, for introducing this resolution. I would hope that all Members of this body can support such a worthy passage for disabled veterans.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Firstly, I would like to thank Representative BROWN for graciously yielding me time for speaking on this important resolution.

Mr. Speaker, I rise today in support of House Concurrent Resolution 336 a resolution which honors the sacrifice and contributions made by America's disabled veterans. The brave men and women currently serving in our Armed Forces, and the veterans who have put on the uniform before them, deserve our utmost appreciation for their continued commitment to the protection of this Nation.

Regrettably, millions of these veterans have been wounded and disabled while defending the rights and freedoms that uniquely define our country. According to the latest statistics provided by the Department of Veterans Affairs, there are approximately 2.9 million disabled veterans now receiving services from the VA. Of the 2.9 million disabled veterans, a total of 30,000 have served in either Operation Iraqi Freedom or Operation Enduring Freedom in Afghanistan.

The great sacrifice that these men and women have made on behalf of the American people cannot go unnoticed. American veterans have earned our undying gratitude and our continued support. During last year's appropriation process, we began to head in the right direction, in my opinion, when Congress allocated \$87.59 billion to the Department of Veterans Affairs, an \$8 billion increase from the previous year.

□ 1445

Of this total, \$37.2 billion was provided the Veterans Health Administration, with \$3.6 billion allocated to post-traumatic stress disorder funding, and \$189.25 million for traumatic brain injury funding, and \$500 million for medical and prosthetic research. Our commitment to America's disabled veterans is exemplified by honoring these men and women in the present and continuing to invest in their future.

I thank Mr. ALTMIRE for introducing this thoughtful resolution and urge my colleagues to join me in supporting House Concurrent Resolution 336.

Mr. SCALISE. I yield 3 minutes to the ranking member of the Subcommittee on Economic Opportunity, the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, as a Nation we are blessed with many things. We have a Constitution that sets the standard for freedom around the world.

We have a land that provides us with bountiful food and superb scenery. But most importantly, America is blessed to have sons and daughters willing to put themselves in harm's way to protect the 99 percent of Americans who do not serve.

Unfortunately, that feeling of patriotism and sacrifice way too often results in disability that affects the veteran for the rest of their life. Often, the disability is small. But sometimes the injury, whether physical or mental, has a significant impact on the veteran's quality of life and their ability to support their families. In such situations, the disability has affected more than just the veteran. As a part of our debt to these men and women, taxpayers compensate them for their injuries and provide a range of benefits unmatched in any other country. But we can and should do something more symbolic of disabled veterans' service to the Nation, and that is to designate a week that will remind Americans that disabled veterans are with them every day.

By giving disabled American veterans the recognition of a week named in their honor, we demonstrate to the American people the importance of the sacrifices made by disabled veterans and their families. This is a way to honor our disabled veterans, and I certainly urge all of my colleagues to support this resolution.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. SCALISE. I yield such time as he may consume to the gentleman from Indiana (Mr. BUYER), the ranking member of the committee.

Mr. BUYER. I thank the gentleman for yielding.

As the ranking member of the House Committee on Veterans' Affairs, I have an obligation to help ensure that veterans and their families have access to the benefits and services they so richly deserve. More importantly, I have been an advocate for military members and veterans almost my entire life. I have been in uniform for 28 years while I served the last 16 years in Congress. It is a great part of who I am.

We have before us this House resolution to create a disabled veterans week. Now we should pause for a moment and say why is Congress bringing this bill to the floor at this time? You see, I view this bill on the floor at this time as an inoculation. It is an inoculation because the Democrats who control this Congress want to bring a bill to the floor where it will cut a monthly pension to wartime elderly disabled and indigent veterans in the amount of a billion dollars. So before the Democrats take a billion dollars away from disabled veterans, they want to stand and say I put my arms around disabled veterans, and we are going to create a week for America to celebrate them.

I am going to blow the whistle on you. I believe that it is a matter of principle that the Nation should not be

taking money from one group of deserving veterans to fund benefits for others. However, you should also know that last month the Senate approved a bill that would cut \$912 million in pension benefits for wartime elderly indigent severely disabled or housebound American veterans. A portion of the funding saved by this unprecedented cut in veterans' benefits would be used to fund oversized pensions for noncitizen, non-resident World War II Filipino veterans and for other veterans' programs.

Mr. Speaker, I believe the country is probably shocked hearing me say something like this. But, Mr. Speaker, we are here on the floor to ask for a designation that the country support the ideals for which men and women fought for and are now disabled, while in the same stroke this very Congress wants to cut veterans' benefits from those very same people when they are asking the country to celebrate their ideals.

The bill that was in the Senate is Senate 1315. There was a bill here in the House, H.R. 760. That bill was voted out of the House Veterans' Affairs Committee on a party-line vote. That hardly ever happens. A party-line vote hardly ever happens in the Veterans' Affairs Committee.

They voted to eliminate a special monthly pension for severely disabled veterans over 65 who are receiving pensions for wartime services. The special monthly pension provides an additional payment of up to \$2,200 per year to the most severely disabled veterans. In 2006, the United States Court of Appeals for Veterans Claims overturned the Department of Veterans Affairs decision that denied the special monthly pension to an 86-year-old legally blind World War II veteran, Robert A. Hartness, who was also receiving a VA pension granted to low-income, disabled veterans.

The court reversed the VA's denial of benefits to Mr. Hartness and required them to begin paying this special monthly pension. The court held that the United States law requires an award of a special monthly pension to a veteran eligible for VA nonservice-connected disability pension if, in addition to being at least 65 years old, the veteran has a disability rating of at least 60 percent or is permanently housebound.

The Senate bill, S. 1315, would override the court decision legislatively, and it is also what H.R. 760 sought to do. According to the VA, more than 20,200 veterans could be affected by this unprecedented cut in veterans' benefits.

This cut in veterans' benefits that goes to the disabled is opposed by the American Legion, AMVETS, the National Association of Uniformed Services, and other veterans' service organizations. The following excerpt is from an April 25, 2008, letter to all Members of Congress from the American Legion: "The American Legion believes the sacrifice of these heroes war-

rants relief. Balancing the books on the backs of the very patriots that protected and defended this Nation is unconscionable. Don't make a grave mistake in the name of fairness, equality, or even fiscal responsibility. Do what is right."

I wholeheartedly agree. Congress has an obligation to protect those veterans who are the most vulnerable. They have no voice; and, indeed, many of them are so severely disabled they are housebound and require aid and attendants. I personally find appalling the notion of taking benefits from these disabled veterans to create a new benefit for other veterans, especially those of a foreign nation.

There are better ways to fund new entitlements than to cut benefits from aging veterans who need us most, violating the principle of honor that defined their service and our obligation to both them and the Nation they served.

I believe that our veterans are our country's most precious asset. I also believe that those are the ideals for which you seek to recognize in the bill that is before us. I would remind every Member who votes in support of this bill, please recognize that when you come to the floor and there is presented to you a Senate amended bill that would repeal the special monthly pension for the Nation's most vulnerable veterans, those of whom are wartime elderly, indigent, disabled and homebound, that you remember the vote you cast this day. Because if you embrace to defend these disabled veterans who sacrificed for the ideals and the heritage of this country, do not cut their veterans' benefits.

It was done in committee. It was done in the Senate. We have to defend the most vulnerable and those who do not have a voice.

I support what is in front of us, but I do not support the rationale of inoculation before you bring a bill to this floor that will cut a billion dollars from these wartime elderly, disabled indigent veterans.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. SCALISE. Mr. Speaker, for thousands of our Nation's soldiers, sailors, airmen and marines, the sacrifices of war far outlast the war itself. There are more than 2 million veterans with service-connected injuries or illnesses, including thousands who have returned from the wars in Iraq and Afghanistan. Thanks to advances in medical science, the vast majority of American servicemembers wounded in combat survive traumatic events that would have proven deadly in previous wars.

Previous generations of veterans have come home wounded from battlefields in Europe, the Korean peninsula, and the jungles of Vietnam. They have returned to America with permanent damage to limb or spirit.

Today's veterans of Operation Enduring Freedom and Operation Iraqi Freedom are suffering tragic injuries from

IED attacks and other hazards that are filling our military hospitals with victims who have lost limbs, with severe burns, and with head injuries.

We owe a debt of gratitude to all of these veterans whose physical or psychological well-being was permanently damaged in service to their country.

In my own district, disabled veterans have also had to endure the closing of the Southeast Louisiana VA Hospital due to damage from Hurricane Katrina. As a result, approximately 212,000 veterans in a 23-parish area in southeast Louisiana have to travel up to 4 hours to go to other VA hospitals just to receive basic care. And as we all know, gas prices are now topping \$4 a gallon, which further adds to the cost our disabled veterans are facing when they travel to and from VA facilities for their health care.

I want to express as well how gravely concerned I am at the high cost of fuel and how it is affecting their ability to stretch their limited pension and compensation dollars. I call on the Democratic leadership in Congress to step forward and join us to help these disabled veterans by addressing this problem and enacting a strong national energy policy that increases supply to lower gas prices.

I want to thank my colleagues in the House for passing the VA Medical Facility Authorization and Lease Act authorizing \$625 million for Southeast Louisiana VA Hospital that was closed down due to damage caused by Hurricane Katrina. And I want to specifically recognize the leadership of Chairman BOB FILNER and Ranking Member STEVE BUYER in passing this critical legislation.

Mr. Speaker, I want to thank our disabled veterans for their sacrifice and contributions to the cause of freedom. The intent of this bill is to express America's eternal gratitude to these courageous heroes, and I urge all of my colleagues to support it. America's disabled veterans have honored us with their service and selfless duty. We should honor them by passing this resolution.

Mr. Speaker, I yield back the balance of my time.

Ms. CORRINE BROWN of Florida. I want to be clear, Mr. Speaker and Members of the House, House Concurrent Resolution 336 honors the sacrifices of the disabled veterans, and I urge all Members to support it.

I am very proud of the fact that we have just passed the largest VA budget in the history of the United States of America. Now a lot of times people talk the talk, but we as Members of this body need to walk the walk for the veterans. And when I said that I have visited the facilities in Puerto Rico and St. Thomas, I have also visited the facilities in Louisiana, and I made sure that we put the money into the budget so we could rebuild that facility for veterans in that area.

I urge my colleagues to unanimously support H. Con. Res. 336.

Mr. WOLF. Mr. Speaker, I rise today in strong support of H. Con. Res. 332, which recognizes the 60th anniversary of the Universal Declaration of Human Rights. On December 10, 1948, the United Nations General Assembly came together to pass the Universal Declaration of Human Rights, which serves as a set of standards for all people and all nations of the world to strive toward.

Drawing upon principles from both the U.S. Constitution and the Declaration of Independence, the Universal Declaration of Human Rights recognizes the fundamental human rights bestowed to each person on this Earth regardless of race, religion, or ethnicity. Ronald Reagan once described the U.S. Constitution as "a kind of covenant. It is a covenant we've made not only with ourselves but with all of mankind." The Universal Declaration of Human Rights shines light in the darkest corners of the world and reminds those in the most desperate of situations that every person is entitled to respect and dignity.

It has been my distinct privilege to serve as co-chair of the Congressional Human Rights Caucus for the past 7 years. The Caucus was founded in 1983 by the late Congressman Tom Lantos and former Congressman John Porter for Members of Congress to work to defend the rights of individuals worldwide as defined in the Universal Declaration of Human Rights.

With the passage of this important resolution, I reaffirm my commitment to serve as a voice for the voiceless and continue to ensure that human rights remains a priority in the U.S. Congress.

GENERAL LEAVE

Ms. CORRINE BROWN of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 336.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. CORRINE BROWN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 336.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. CORRINE BROWN of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1500

NATIONAL D-DAY REMEMBRANCE DAY

Ms. CORRINE BROWN of Florida. Mr. Speaker, I move to suspend the

rules and agree to the resolution (H. Res. 1235) expressing support for the designation of National D-Day Remembrance Day, and recognizing the spirit, courage, and sacrifice of the men and women who fought and won World War II.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1235

Whereas June 6, 2008, marks the 64th anniversary of D-Day, the day of the beginning of the Allied assault against the Axis forces at Normandy, France, during World War II;

Whereas the D-Day assault, codenamed Operation Overlord, was the most extensive amphibious invasion ever to occur, and involved 5,000 ships, over 11,000 sorties of Allied aircraft, and 150,000 American, British, and Canadian troops on the first day of the operation;

Whereas the D-Day assault was among the most important events of World War II, as the success of the Allied landings in Normandy provided the foothold for the liberation of France and the eventual Allied advancement into Germany, leading ultimately to the Allied victory in Europe;

Whereas the brave men and women of our armed services who participated in the D-Day assault forever changed the course of history by starting the liberation of occupied Europe from Nazi Germany;

Whereas 5 separate beaches were assaulted, with American forces under the command of Lieutenant General Omar Bradley attacking Omaha and Utah beaches, and British and Canadian forces under the command of General Miles Dempsey attacking Gold, Juno, and Sword beaches;

Whereas according to General Dwight D. Eisenhower, American troops would "accept nothing less than full victory";

Whereas American troops displayed tremendous heroism, dedication, and strength in storming the beaches of Normandy against a heavily fortified enemy;

Whereas American troops suffered significant losses during the assault, including over 6,500 casualties;

Whereas June 6, 1944, is one of the most significant dates in the history of the United States;

Whereas the National D-Day Museum was dedicated on June 6, 2000, in New Orleans, Louisiana;

Whereas Congress designated the museum as "America's National World War II Museum" in 2003;

Whereas the museum has welcomed 1,800,000 visitors since its opening, and currently sees an average of 17,000 visitors a month;

Whereas the National World War II Museum is the only museum in the United States that exists for the exclusive purpose of interpreting the American experience during World War II on both the homefront and battlefield and, in doing so, covers all the branches of the Armed Forces and the Merchant Marines;

Whereas the museum interprets the American experience during World War II, celebrates the American spirit, recognizes the teamwork, optimism, courage, and sacrifice of the men and women who won World War II, and promotes the exploration and expression of these values by future generations; and

Whereas it would be appropriate to designate June 6, 2008, as National D-Day Remembrance Day: Now, therefore, be it

Resolved, That the House of Representatives supports the designation of National D-

Day Remembrance Day, recognizes and honors the veterans who served on D-Day, and thanks them for their spirit, courage, and sacrifice.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. CORRINE BROWN) and the gentleman from Louisiana (Mr. SCALISE) each will control 20 minutes.

The Chair now recognizes the gentlewoman from Florida.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, last week, on June 6, we celebrated the anniversary of one of our greatest military accomplishments and an historic event that changed the face of our Nation and the world.

On June 6, 1944, the largest seaboard invasion in history began the 2-month Battle of Normandy. The D-day invasion began during the night, and continued with air and naval attacks and an amphibious attack in the early morning hours.

The D-day operation of June 6, 1944 brought together the land, air and sea forces of the Allied armies in what become known as the largest invading force in human history. Operation Overlord landed five naval assault divisions to the beaches of Normandy, code-named Utah, Omaha, Gold, Juno and Sword.

The invasion force included 7,000 ships and landing craft manned by 195,000 Navy personnel from eight Allied countries. Almost 133,000 troops from England, Canada and the United States landed on D-day. Casualties during the landing was over 10,000.

New Orleans is the home of a wonderful museum, the National World War II Museum. This museum opened its doors on June 6, 2000, and paid tribute not only to the D-day but all of the efforts in World War II. One of the reasons it is located in New Orleans is it was the home of Andrew Jackson Higgins.

The historian, Steven Ambrose, reported that General Eisenhower once told them that Higgins was the man who won the war for us. Eisenhower explained to him that if Higgins had not designated and built the LCVs, we never could have landed over the open beach. The whole strategy of the war would have been different.

According to the National World War II Museum, the Higgins work force was the first in New Orleans to be racially integrated. This work force shattered production records, turning out more than 200,000 boats, including 12,500 LCVs, or Landing Craft, Vehicle, Personnel, by the end of the war.

General Eisenhower's D-day message read: You are about to embark upon the greatest crusade, toward which we have strived these many months. The eyes of the world are upon you, and hopes and praise of liberty-loving people everywhere march with you.

The world still recalls D-day, and the efforts of the United States and our Allies to end fascism in Europe and

across the globe. It is fitting that we recall these accomplishments, and this day, and the service and sacrifice that hastened the end of World War II.

The world still looks to us for leadership for leadership and to be a beacon to illustrate the path ahead. Let us always strive to provide this light, this leadership and this wisdom to do what is right.

Last August I had the honor and privilege to visit the Normandy American Cemetery and Memorial in France. While there I laid a wreath of flowers in honor of the soldiers that fought and died at Normandy and visited the graves of Floridians who gave their life fighting the Nazis.

Tori Robinson, an American gospel singer based in Paris, also a constituent of mine, sung at the ceremony. Her version of God bless America brought people from all over the memorial. There this honor was shared by all visitors in this holy place.

I want to take a special note to honor Chairman OBEY and Chairman MURTHA for their hard work in getting funds for this new Normandy Visitors Center appropriated. My visit to this center followed theirs, which was just dedicated on June 6, 2007, the 63rd anniversary of D-day.

This visitors center truly paid tribute to the soldiers who stormed those beaches and gave visitors a true sense of what these men and their loved ones was going through during the war that led up to the D-day invasion.

I encourage all Americans to visit this hallowed site. Most of the visitors are from Europe and come to honor the sacrifice of the young Americans made for their freedom.

Many brave men and women died on this day, 64 years ago, to restore the freedom we enjoy today. Here rests in honored glory a comrade in arms only God knows, reads just one of the 9,387 grave markers at the American cemetery in Normandy, France. We honor them by remembering and this resolution calls us to remember.

Mr. Speaker, I reserve the balance of my time.

Mr. SCALISE. Mr. Speaker, I rise in support of House Resolution 1235, a measure expressing support for the designation of National D-Day Remembrance Day, and recognizing the spirit, courage and sacrifice of the men and women who fought and won World War II. D-day is one of the most significant days in our Nation's history, and we should never forget the bravery and determination displayed on the beaches of Northern France.

This resolution also recognizes the National World War II Museum in New Orleans. The museum was dedicated in 2000 as the National D-Day Museum, and later in 2003, Congress designated the museum as America's National World War II Museum. The museum has welcomed 1.8 million visitors since its opening, and currently sees an average of 17,000 visitors a month.

The National World War II Museum is the only museum in the United

States that exists for the exclusive purpose of interpreting the American experience during World War II. It celebrates the American spirit, recognizes the teamwork, optimism, courage and sacrifices of the men and women who won World War II, and promotes the exploration and expression of these values by future generations.

Mr. Speaker, I urge my colleagues to support this resolution, and I reserve the balance of my time.

Ms. CORRINE BROWN of Florida. I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, no one can visit the American cemetery at Normandy without gaining a profound appreciation for the courage and the sense of self-sacrifice demonstrated by every one of our soldiers who fought to take that beach and begin the liberation of Europe.

For years, families who went to that cemetery to think about their loved ones, think about their loss and, at the same time, think about their pride, had a totally inadequate place in which to sit and think or perhaps retreat from the rest of the people around them for a few precious moments. And I am so pleased that I was able to work with Congressman MURTHA, with Congressman WALSH, with Congressman HOBSON, in order to provide the funding for the new visitors center which is now at that location. It is a spectacularly beautiful, and yet subtle tribute to each and every American who fought there.

For years, that visitors center did not tell an adequate story of the sense of self-sacrifice that was exhibited in those days. Now it finally does, and I think it will serve as an inspiration, not just to every American who visits that site, but also to every person from any part of the world who values freedom and values sacrifice.

I know of no monument that is more eloquent in paying tribute to both than that monument, and I think it's fitting that we pass a resolution, again, praising the courage and the dedication of the Americans who fought to make the entire world free.

Mr. SCALISE. Mr. Speaker, I am going to yield 3 minutes to the ranking member of the Subcommittee on Economic Opportunity, Mr. BOOZMAN from Arkansas.

Mr. BOOZMAN. Mr. Speaker, I want to thank Mr. SCALISE for bringing this forward. It's important for us periodically to pause and think about the tremendous sacrifice, especially while the men and women that made all of this possible are still with us, that we can pause and just think of the sacrifice that they did on this day.

I also want to welcome Mr. SCALISE to the Veterans' Affairs Committee again, that he has volunteered to become a part of that committee and to work in a very bipartisan way so that we can do our best for veterans.

On June 6, 1944, the United States participated in the largest seaboard invasion in history. Countless men and

women served their country that day, and I stand before you to ask for your support for the designation of National D-Day Remembrance Day.

Preparations for D-day began long before June 6, 1944. In fact, discussions about an allied invasion began in 1942. The Germans expected an invasion along the north coast of France and built up forces along the narrowest portion of the channel. However, the Allies planned to land just south of the German build-up. In order to execute a successful campaign, our men and women, along with Allied forces in other countries, not only had to plan an attack, but also to contend with many of the same issues we ourselves are faced with today.

War planners projected 5,000 tons of gasoline would be needed daily for the first 20 days after the initial invasion. 3,489 tons of soap would be needed in the first four months after the invasion. Approximately 300 planes would drop bombs along the coast of Normandy. Six parachute regiments, including 13,000 men, needed to be transported. 5,000 vessels would transport men and 30,000 vehicles across the English channel.

It's clear that the efforts that led to D-day and the many days afterward were that of dedicated men and women who sacrificed their jobs, their families and in many cases their own lives to ensure that the United States of America and the Allied forces would be successful.

Words cannot express our gratitude for their courage and spirit. However, by designating a National D-Day Remembrance Day, we can continue to remember the sacrifice unwavering commitment to our country, and determination of the men and women who fought and won World War II. I urge my colleagues to remember and honor these men and women by supporting this resolution.

I also want to comment on Mr. OBEY, what he said in regard to the actual monument. And I've had the opportunity to be there. My daughter, while she was vacationing in Europe, in her early twenties, she and her friends enjoyed it so much that they actually were just going and planning on spending an afternoon, wound up spending the night, and were so impressed with the way that everything's portrayed that, again they did a good job.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. CAZAYOUX).

Mr. CAZAYOUX. Mr. Speaker, I rise in support of House Resolution 1235, by my fellow delegation member, Congressman SCALISE. This resolution thoughtfully commemorates the sacrifices of our armed services on that fateful day, 64 years ago on the beach of Normandy.

I was reminded of that sacrifice when I visited veterans over Memorial Day at a ceremony at the USS *Kidd* in Baton Rouge. I also attended an event

for the Louisiana Honor Air Program, which helps our World War II veterans, many themselves D-day survivors, visit the World War II memorial for the first time.

The D-day assault was the most extensive amphibious invasion in history. Its success was a shining example of the strength and professionalism of our armed services.

As our thoughts and prayers go out to our young men and women who fight for us in Iraq and Afghanistan, we pay tribute to their predecessors by supporting this resolution to designate a National D-Day Remembrance Day.

Louisiana played a huge part in the Allies' success at D-day. Indeed the amphibious Higgins boat itself was developed in Louisiana and based on boats built to navigate our swamps and marshes. For this reason, New Orleans is home to the National D-Day Museum and is designated by Congress as America's National World War II museum.

I support the resolution, and strongly encourage this House to designate June 6, 2008, as National D-Day Remembrance Day.

□ 1515

Mr. SCALISE. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN).

(Mr. DANIEL E. LUNGREN of California asked and was given permission to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, about 6 months ago I got an unexpected call in my office from a fellow named Carlo DiVirgilio from Upstate New York. I had never met the man, and when I got on the phone, he said, I just learned that you were in Congress. I just wanted to ask you a question. Was your father Dr. Lungren? And I said, Yes, he was. And he said, I served with him in Normandy 60 years ago.

And he recounted to me some of the battles they went through: the Battle of Senlo, the Battle of Mortain. And he talked about the fear that young men had at that time as they got up to the front lines how they feared death. One of the great things he said to me was, When we were around your father, we felt safe. We felt that we were not going to die.

These were young men who were sent into battle not knowing whether they were going to win but knowing that they had to fight. Had the outcome been different, history would have changed. We would not have liberated Europe. D-day is such an important date that we need to commemorate it as this resolution does.

It is a date that gives us pause because we understand that when Dwight D. Eisenhower made the decision to go, it was not certain that it would succeed. As a matter of fact, those who come here to our Nation's Capitol and go into the Rotunda, they see a statue of Dwight Eisenhower, President of the United States. But he is not there depicted as President of the United

States. Rather, he is depicted as the Supreme Allied Commander, the first leader of combined forces in the history of warfare. And he's standing there with a gesture that commemorates a photograph that was taken at the time that he went to go see the paratroopers he was sending off to war.

You have to understand. He realized that maybe as many as six or eight out of every ten that he looked at were going to die, and they were going to die because he was sending them into battle. But he had the courage as a leader to look them in the face, to talk to them before they went off to war and to give them the best that he could.

And then, remarkably, after he had addressed them, he got back into his military automobile and turned to his aide and gave him a piece of paper. And on that piece of paper, General Eisenhower had written out a statement; and he said, If this fails, I want this statement to be read. And what was the statement? It gave all support and all honor to the men who served under him, and he took all blame and responsibility for its failure. What a remarkable example of leadership at that time.

Today, when we hear the first response from many people, I don't care whether they're in professional sports or whether they're in politics or whether they're in business, when something goes wrong, almost the first instinct is to point the finger at somebody else to say, It wasn't my job. It wasn't my responsibility.

But Dwight Eisenhower was not that kind of person. He is the definition of a leader. He is one who made the tough decision to go on June 6, 64 years ago, not being guaranteed a success but knowing that the risk was worth it. There was nothing else he could do. And then saying, If this fails, it is all on me.

Ladies and gentlemen, as we remember today that great day, the great sacrifice of all, including my father, let us remember the example of a great leader, Dwight Eisenhower, who told us what it is to lead: Not for vain glory, but rather for great purpose.

Thank you very much.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. SCALISE. Mr. Speaker, last Friday, June 6, 2008, marked the 64th anniversary of D-day, one of the most significant days in our Nation's history. June 6, 1944, marked the beginning of the Allied assault against the Axis forces in Normandy, France, and the beginning of the end of World War II; and it started the liberation of occupied Europe from Nazi Germany.

The D-day invasion was the largest amphibious assault the world had ever seen with more than 5,000 ships and over 150,000 American, British, and Canadian troops involved on that single day.

Mr. Speaker, as a Member who is honored to represent the people of

Southeast Louisiana, I am proud of the role that my State played on D-day. In New Orleans, Andrew Jackson Higgins designed the LCVs, or the Higgins boats, that were used extensively in World War II for amphibious landings. Higgins and the 30,000 Louisiana workers of Higgins Industries built and tested the Higgins boats in Southeast Louisiana during the war.

The Higgins boat was crucial to the success of D-day. According to General Eisenhower, the Allies would not have been able to land on an open beach without the Higgins boat. General Eisenhower claimed that Higgins was the man who won the war for us.

Louisiana is also home to many of the brave men and women who fought and won in World War II. J.J. Witmeyer, who lives in the New Orleans suburb of Hanrahan, participated in the D-day invasion. Mr. Witmeyer served as an infantry soldier and landed on Utah Beach. Mr. Witmeyer describes his experience of landing at Normandy on Higgins boats like this: "When the ramp went down, you were going through the gates of hell . . . you didn't know how deep the water was, where the beach was and they were firing at you."

Mr. Witmeyer escaped injury that day but was later wounded twice. He won a battlefield commission as a captain, served as an acting military governor in Dortmund, Germany, and as a commandant of two camps for displaced war victims in Czechoslovakia.

It is because of the courage and sacrifice of soldiers like J.J. Witmeyer and the ingenuity and dedication of individuals like Andrew Higgins that we were successful on June 6, 1944, and went on to win the war.

The brave men and women of our Nation's Greatest Generation displayed tremendous heroism, dedication, and strength and forever changed the course of history. General Dwight D. Eisenhower said we would "accept nothing less than full victory," and our troops did just that.

Our success did not come without significant losses, however. American forces suffered over 3,300 soldiers killed in action and an additional 3,000 soldiers suffered injury.

Mr. Speaker, the courage and sacrifice displayed by the Allied forces on June 6, 1944, should never be forgotten, and we should always remember D-day and honor the men and women who fought and persevered for the price of freedom. D-day will forever be an important part of U.S. history, and the day deserves to be recognized. The Members of the Armed Forces who participated in the invasion are true American heroes. That is why I introduced House Resolution 1235 calling on Congress to support the designation of a national D-day Remembrance Day.

Mr. Speaker, I urge my colleagues to recognize and honor the veterans who served on D-day and join me in thanking them for their spirit, courage, and sacrifice. I also urge my colleagues to

join me in paying tribute to the National World War II Museum in New Orleans for sharing their stories with future generations. For so many years, the Greatest Generation was reluctant to share their stories, and fortunately for all of us, as time went on, more and more have been willing to open up and give that testimony; and we are so honored to have much of that testimony collected at the National World War II Museum for future generations to share.

By passing House Resolution 1235, we honor D-day. More importantly, we honor the men and women of the Greatest Generation who made June 6, 1944, one of the most important days in our Nation's history, a day that all men can be proud of, a day that all Americans should never forget.

Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Ms. CORRINE BROWN of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include any extraneous material on House Resolution 1235.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GOODE. Mr. Speaker, I rise today in support of H. Res. 1235, a resolution to designate National D-Day Remembrance Day and recognize the spirit, courage, and sacrifice of the men and women who fought and won World War II. One of modern history's defining events, D-day was the climactic engagement of the Second World War. On June 6, 1944, an Allied Expeditionary Force representing twelve nations launched more than 5,000 boats and ships, 11,000 aircraft, 28,000 aerial sorties, and landed 150,000 ground troops. Among those troops were more than 30 soldiers from Bedford, Virginia, a small, rural community which experienced the highest per capita loss rate of any community in the United States on D-day. For this reason, Bedford is the home to the National D-Day Memorial, which was dedicated by President Bush on June 6, 2001. The National D-Day Memorial exists in tribute to the valor, fidelity, and sacrifice of the Allied Forces on D-day. The Memorial preserves the lessons and legacy of that fateful day and reminds all who enter it of the heavy price that heartland communities have paid, and still pay, for freedom.

I urge all members to support H. Res. 1235 and honor the great sacrifice of our veterans who served on D-day and in all the other conflicts that preserved American freedom throughout our history.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I urge my colleagues to unanimously support House Resolution 1235.

I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Ms. CORRINE BROWN) that the House suspend the rules and agree to the resolution, H. Res. 1235.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. CORRINE BROWN of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

PROCEDURE FOR CONSIDERATION OF RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE IF OFFERED TODAY

Ms. CORRINE BROWN of Florida. Mr. Speaker, I ask unanimous consent that if the gentleman from Ohio (Mr. KUCINICH) offers a resolution as a question of the privileges of the House at any time on the legislative day of June 10, 2008—

(1) the previous question shall be considered as ordered thereon without intervening motion except one motion to refer; and

(2) the Speaker may postpone further proceedings on such a vote on a motion to refer as though under clause 8(a)(1)(A) of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

TO AWARD POSTHUMOUSLY A CONGRESSIONAL GOLD MEDAL TO CONSTANTINO BRUMIDI

Mr. ACKERMAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 254) to award posthumously a Congressional gold medal to Constantino Brumidi.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) On July 26, 1805, Constantino Brumidi was born in Rome, Italy of an Italian mother and a Greek father who inspired him with a love of liberty.

(2) While Constantino Brumidi's Greek ancestry stirred his passion for liberty and citizenship, his Italian heritage provided the art styles of the Renaissance and the Baroque which influenced the artwork of the United States Capitol.

(3) Constantino Brumidi became a citizen of the United States as soon as he was able, embracing its history, values, and ideals.

(4) Beginning in 1855, Constantino Brumidi designed and decorated 1 House and 5 Senate committee rooms in the Capitol, as well as the Senate Reception Room, the Office of the Vice President, and, most notably, the President's Room, which represents Brumidi's supreme effort "to make beautiful the Capitol" of the United States.

(5) In 1865, Constantino Brumidi completed in just 11 months his masterpiece, "The Apotheosis of Washington", in the eye of the Capitol dome.

(6) In 1871, Constantino Brumidi created the first tribute to an African American in the Capitol when he placed the figure of Crispus Attacks at the center of his fresco of the Boston Massacre.

(7) In 1878, Constantino Brumidi, at the age of 72 and in poor health, began work on the Rotunda frieze, which chronicles the history of America.

(8) On February 19, 1880, Constantino Brumidi died at the age of 74, four and a half months after slipping and nearly falling from a scaffold while working on the Rotunda frieze.

(9) Constantino Brumidi, proud of his artistic accomplishments and devoted to his adopted country, said, "My one ambition and my daily prayer is that I may live long enough to make beautiful the Capitol of the one country on earth in which there is liberty."

(10) Constantino Brumidi's life and work exemplify the lives of millions of immigrants who came to pursue the American dream.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—

(1) IN GENERAL.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the posthumous presentation, on behalf of Congress, of a gold medal of appropriate design to Constantino Brumidi, in recognition of his contributions to the Nation.

(2) DISPLAY OF MEDAL IN CAPITOL VISITOR CENTER.—The Architect of the Capitol shall arrange for the gold medal presented under this subsection to be displayed in the Capitol Visitor Center, as part of an exhibit honoring Constantino Brumidi.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 5. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 3 shall be deposited into the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. ACKERMAN) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ACKERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of S. 254 which would posthumously award the Congressional Gold Medal to Constantino Brumidi and would authorize the striking of duplicate medals for sale to the public.

Mr. Speaker, for those of us who work here in the Capitol, we are very fortunate to be surrounded by Constantino Brumidi's genius every day. Brumidi's awesome, inspiring murals and frescos are remarkable as they are ubiquitous. Constantino Brumidi's works can be found in three Senate Appropriations Committee rooms, the House Appropriations Committee room, the Senate Democratic Policy Committee room, the Brumidi corridors, the Senate reception area, the Office of the Vice President and, of course, the Rotunda. Like his masterful works throughout the Capitol, Constantino Brumidi's story is uniquely American.

Brumidi was born in Rome in 1805 to an Italian mother and a Greek father. His artistic ability was cultivated at an early age. In his early years, he was commissioned to paint frescos and murals in various Roman palaces. And then in 1849, as did so many of our ancestors, Brumidi, who was already an established artist in Italy and who spent 3 years working for Pope Gregory XVI in the Vatican, migrated to the United States and began a new life in New York City. There he proudly became a naturalized American citizen in 1852.

It was on a return trip from Mexico that Constantino Brumidi first saw the U.S. Capitol. It was a fortuitous twist of fate: at a time when Congress and President Franklin Pierce were preparing to expand the Capitol, a word-class Italian American artist, who just happened to be passing through Washington, inspired by both the freedoms and liberties represented by the seat of Congress and the vast open spaces in the Capitol that seemed to invite frescos and murals, offered his services to Quartermaster General Montgomery C. Meigs. Wisely, Meigs commissioned Brumidi to become the artist of the Capitol.

Brumidi's first work was in the Agricultural Committee room. This masterpiece received such favorable attention that he was given a raise and tasked with painting other larger works culminating with the works in the Capitol Rotunda.

□ 1530

There is no work in the Capitol more impressive or more renowned than "The Apotheosis of Washington." Brumidi completed the fresco in 11 months at the end of the Civil War, soon after the new dome was completed. This absolutely stunning work soars 180 feet above the Rotunda floor. To compensate for the distance from the floor to the ceiling, Brumidi, who spent years mastering depth and scale, painted 15-foot tall figures so that the work could be appreciated from the Rotunda floor.

Another Brumidi masterpiece, "The Frieze of American History," appears just underneath the dome and spans the entire 360 degrees of the Capitol Rotunda. The frieze, which initially looks to be carved or sculpted, as all who view it believe it to be three dimensional, was, in actuality, meticulously painted with the use of scaffolding. While Brumidi first sketched a design of the frieze in 1859, Congress did not authorize work to begin on this piece until 18 years later, in 1877.

The work masterfully displays America's history, beginning with the landing of Christopher Columbus and continuing to the discovery of gold in California. While many visitors to the Capitol have seen Brumidi's genius in the frieze over the years, they may not realize that he nearly lost his life while painting it. While working on a figure of William Penn, 76-year-old Brumidi fell from the scaffolding, but saved himself by clinging to the rung of a ladder for 15 long minutes before he was rescued. While he subsequently ascended the scaffolding once more to continue his work, he died a few months later in 1880. It took two additional artists and 73 years to finish the masterpiece that Constantino Brumidi first began.

Mr. Speaker, Constantino Brumidi's service to the Capitol, and our country, span the administration of six, six Presidents: Franklin Pierce, James Buchanan, Abraham Lincoln, Andrew Johnson, Ulysses S. Grant, Rutherford B. Hayes. On and on, Brumidi worked. All of us here in the Capitol that have the privilege of working in this living museum, as well as the millions of visitors that tour our building each year, who admire and relish Brumidi's works, but precious few know the story of the artist of the Capitol.

In addition to awarding Constantino Brumidi with the Congressional Gold Medal, S. 254 directs the Architect of the Capitol to display the gold medal as an exhibition in the new visitor's center dedicated to Brumidi's life and work. I believe such an exhibit is long past due and would be to the benefit of future generations of Americans who come to see the Capitol and admire the brilliant works of Constantino Brumidi, reminding us yet again that we are a Nation built by immigrants.

Mr. Speaker, Constantino Brumidi was a great son of Italy and a great American. His achievements are a

great source of pride for Italian Americans, and S. 254 would bestow Brumidi, and the Italian American community, with the recognition the artist's great contributions so rightly deserve.

Special thanks are due to Representative BILL PASCRELL from New Jersey, the main sponsor of this bill that we have before us in the House today.

And I'd like to acknowledge the hard work and dedication of somebody who visits us here in the gallery today, Mr. Speaker, Joseph Grano, who's the president of the Constantino Brumidi Society, for his long and tireless efforts on this behalf.

Mr. Speaker, this is a great day for those who love fine art, creativity, American history, and who appreciate the contributions of Italian American immigrants and all immigrants for the culture and history of our country.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I rise in support of S. 254, a bill to award a Congressional Gold Medal honoring the great artistic work of Constantino Brumidi on this great Capitol building. The bill was introduced by Senator ENZI and has 99 cosponsors in the Senate, and in the House, a companion bill was introduced by our colleague, Mr. PASCRELL, which has 307 cosponsors.

As we've heard much of Mr. Brumidi's history, he created artworks in the House of Representatives Chamber, many committee rooms, the President's Room, the Senate Chamber, and throughout the corridors of the Capitol. His most famous work within these halls is "The Apotheosis of George Washington," which appears on the Capitol dome in the Rotunda. Mr. Brumidi painted these hallowed halls, and in so doing, he depicted the narrative that is the vivid history of these United States.

Born in Italy in 1805, Constantino Brumidi studied at the Italian Academy of the Arts. In 1852, at the age of 47, he emigrated to America and devoted the rest of his years completing frescoes, sculptures, and paintings in the Capitol Building.

The story of Constantino Brumidi is important not only because he was the artist who gave life to these walls, but because his story is the American story. He was an immigrant to this country, and he used the skill that he had to contribute what he could. In the process, he, like millions of others, built this country into what it is today. Immigrants built this Nation's building, constructed its factories, fed its people, and when called upon, defended its sovereignty. Men and women from this great Nation's inception contributed whatever they could to make this Nation better.

Constantino Brumidi contributed his talents as an artist. And now, because of his efforts, we and all who walk through the Capitol may see not only his talent but this country's history and be filled with the same sense of awe and hope that filled those who walked these halls before us. That, ladies and gentlemen, is a wonderful gift.

On February 19, 1880, at the age of 74, Constantino Brumidi died four-and-a-half months after falling from a scaffolding while working on the Rotunda frieze that chronicles the history of America. He spent his entire time in this country contributing and attempting to fulfill his life's goal. He said, "My one ambition and my daily prayer is that I may live long enough to make beautiful the Capitol of the one country on Earth in which there is liberty."

As we stand here today and walk these halls, it is clear to all that Constantino Brumidi accomplished his goal.

This bill awards Constantino Brumidi the Congressional Gold Medal for his contribution. The medal will be displayed in the Capitol Visitor's Center as part of a display honoring his work.

Mr. Speaker, I urge the bill's immediate passage.

I reserve the balance of my time.

Mr. ACKERMAN. Mr. Speaker, I yield 6 minutes to the sponsor of the bill, Bill Pascrell of New Jersey.

Mr. PASCRELL. Mr. Speaker, I am very proud to stand in strong support of S. 254, or H.R. 1609 in the House, to award this posthumous Congressional Gold Medal to Constantino Brumidi which would be displayed in the Capitol Visitor's Center. This American immigrant was the creator of some of the most beautiful works of art in the United States Capitol Building.

As the sponsor of the House version of this bill and as cochair of the Congressional Italian American delegation, this is an issue very close to me, Mr. Speaker.

Now, these things don't happen in a vacuum. I want to express my sincere gratitude to Senator ENZI and Senator CLINTON, to Congresswoman CAROLYN MALONEY, to Congressman JOHN MICA, to Congressman ZACK SPACE and GUS BILIRAKIS, and my very close friend GARY ACKERMAN, JOHN SARBANES, MICHAEL BURGESS, and RICK RENZI for their tireless work in garnering support for this worthy initiative.

If it were not for the diligent advocacy efforts of the Constantino Brumidi Society, the American Hellenic Educational Progressive Association, and the National Italian American Foundation, we would not be standing here today. It's as simple as that.

Born in Rome of Italian and Greek heritage in 1805, Constantino Brumidi trained in drawing, painting and sculpture at Rome's prestigious Accademia di San Luca.

In 1840, this rigorous artistic training was put on display when Brumidi and several other artists were commissioned to restore the richly decorated frescos in the Vatican Palace.

He immigrated to the United States in 1852, with nothing in his pocket, and when he died, he had nothing in his pocket. His only objective was to come here and become an American citizen, and he did that in 5 years. He gave it all, as you walk through this beautiful

edifice of freedom that everyone knows all over the world.

In 25 years, from 1854 to 1879, he decorated the Capitol with murals and frescos. His frescos in this Capitol were probably the first true frescos to be painted in the United States of America.

Brumidi believed that the classical architecture of the Capitol Building required real fresco, like the palaces of Augustus and Nero, and the baths of Titus and Livia at Rome, and the admired relics of the painting at Herculaneum and Pompeii.

His art drew heavily on his training and experience in Rome, incorporating the history and symbols of the United States into his classical repertoire. His most significant influences included ancient Greek and Roman wall paintings and Raphael's classical decoration in the Vatican.

Although he's often called the Michelangelo of the Capitol, this immigrant who came here and gave everything to this country, Brumidi perhaps should be called the Raphael of the Capitol, since it was Raphael who was his greatest inspiration.

Brumidi's creations in the Capitol Building include his masterpiece, the allegorical fresco, "The Apotheosis of Washington," in the 4,664-square foot canopy over the eye of the dome, 180 feet above the floor of the Rotunda. He also painted the extensive frescos in the Brumidi corridors throughout this Capitol.

His last years were spent painting the historic scenes in the Rotunda frieze, even carrying out his own historic research for his work.

Outside of his work in this Capitol, he also was well-connected in the Catholic church. His commissions included altar pieces and murals in important cathedrals in Mexico City, New York City, Washington, Baltimore, and Philadelphia.

The consummate American, Brumidi is reported to have remarked: "My one ambition and my daily prayer is that I may live long enough to make beautiful the Capitol of the one country on Earth which there is liberty."

Sadly, at the time of his death in 1880, as I said, he was penniless. Following his death, his work was roundly criticized by the artistic establishment of his day. However, the 1970s, not that far long ago, brought a renewed appreciation for Victorian architecture and decoration and the growth of the historic preservation, and work was done to restore Brumidi's art to its former glory. Today's scholars are able to fully comprehend the full extent of his talent.

Even though he is long gone, it is imperative that we fully recognize the transcendental beauty, the intricate grace he brought to the building that we stand in and that we work in every day.

There is widespread bipartisan support for this initiative. You heard how many cosponsors in the Senate, as my

good friend from West Virginia pointed out how many, 307, right here in the House of Representatives. What great testimony.

I urge my colleagues, Mr. Speaker, to support this legislation and to remember the background of this individual, his Italian and his Greek heritage, and think of all the immigrants when we think of Brumidi and his contributions.

Mrs. CAPITO. Mr. Speaker, I yield as much time as he would consume to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Thank you very much.

Mr. Speaker, I rise today with great pride in support of Senate bill 254 to posthumously award Constantino Brumidi the Congressional Gold Medal. We have just heard from the previous speakers the life and times of this inspired artist with whom I'm very proud to share the same Greek heritage.

Many walk through the halls of Congress, but do not know much about the man who dedicated most of his professional life to beautifying it.

Constantino Brumidi, a Greek and Italian immigrant, came to America in search of freedom and opportunity. What he accomplished rivals most any immigrant success story. Constantino Brumidi's life and work exemplify the lives of millions of immigrants who came to pursue the American dream.

□ 1545

Soon after becoming an American citizen, Brumidi was commissioned to decorate the structure which houses the greatest democratic institution in world history. This feat is a testament both to Brumidi's resolve, and our great Nation's willingness to embrace those who want to share in the American dream.

I would also love this award to be accompanied with a statue that would adorn the Capitol Visitors Center. That's why I have introduced H.R. 1313. A statue of Brumidi, along with a Congressional Gold Medal, will serve as a shining example of American ideals and inspire people everywhere who wish to embrace freedom.

While it has taken over 130 years, it is never too late for the installment of this Gold Medal in recognition of the contributions of Constantino Brumidi to the Nation. Congratulations, and I urge all my colleagues to support this bill.

Mr. ACKERMAN. Mr. Speaker, at this time, I yield 3 minutes to the gentleman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. I thank my good friend and colleague from the great State of New York for his hard work on this and so many endeavors. And I rise today, as the co-chair and cofounder on the Congressional Caucus on Hellenic Issues, in strong support of S. 254, to award posthumously a Congressional Gold Medal to Constantino Brumidi.

I'm so pleased to join 307 of my colleagues here in this legislative body.

We were led so well by our colleague and good friend, Representative PASCRELL. And we acknowledge the hard work of Congressman PASCRELL and also the Hellenic Caucus and the Italian-American Caucus in getting the necessary cosponsors.

Brumidi was the son of a Greek father and an Italian mother. He fled Rome and immigrated to the United States in 1852. From 1868 to 1879, he was a resident in my congressional district of New York City. And while he was there, he painted 43 murals at St. Stephen's Church, which is in my district, and scholars come from around the world to study his work there, and here in the Capitol.

He is most famous, however, for his artistic achievement here in our great Capitol. "The Apotheosis of George Washington" on the dome in the Rotunda is one of the highlights of his brilliant work. He was called the Michelangelo of the Capitol.

He worked flat on his back on wooden scaffolding through the intense summer temperatures, and he created masterpieces throughout our Capitol. His artwork can be found in the Chamber, the House of Representatives Chamber, several committee rooms, the President's Room, the Senate Reception Room, and truly throughout the corridors of our Capitol. I am thrilled that we are recognizing such an outstanding artist and an important contributor to the history of art and the history of our Nation.

The Capitol building is special because of its beautiful architecture and priceless artistic treasures. Without Brumidi's influence, tours of the Capitol simply would not be certainly as beautiful or interesting to Americans. He is truly deserving of the honor we are bestowing upon him. Like many immigrants, he has brought many treasures to our country.

I thank all my colleagues on both sides of the aisle for their important work in bringing this legislation to the floor.

Mrs. CAPITO. Mr. Speaker, I yield back the balance of my time.

Mr. ACKERMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ACKERMAN) that the House suspend the rules and pass the Senate bill, S. 254.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

RECOGNIZING THE IMPORTANCE OF MANUFACTURED HOUSING IN THE UNITED STATES

Mr. DONNELLY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1010) recognizing the importance of manufactured housing in the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1010

Whereas manufactured housing plays a vital role in meeting the housing needs of the people of the United States and is an important source of quality, affordable housing, including both homeownership and rental housing;

Whereas the manufactured housing industry in the United States has approximately \$6,000,000,000 annually in sales and employs approximately 70,000 people in factories and retail centers alone;

Whereas 18,000,000 people in the United States, representing all segments of the population, including emerging demographics, live in manufactured homes;

Whereas because it is an important source of affordable housing, manufactured housing is a critical part of the solution to the ongoing crisis in the housing market in this Nation;

Whereas the factory production process provides manufactured housing with technological advantages, value, and customization options for consumers seeking quality housing and sustainable homeownership;

Whereas manufactured homes are built to a national standard under the National Manufactured Housing Construction and Safety Standards Act of 1974, which governs construction, engineering, quality, safety, and systems performance;

Whereas that Act supports innovation, consumer safety, efficiency, and quality while preserving the affordability and customization of manufactured housing;

Whereas creating affordable homeownership opportunities helps build communities and requires the cooperation of the private and public sectors, including the Federal Government and State and local governments;

Whereas the laws of the United States, such as the Manufactured Housing Improvement Act of 2000, encourage manufactured housing homeownership and should continue to do so in the future;

Whereas June is designated as National Homeownership Month; and

Whereas the third week of June is recognized as Manufactured Housing Week: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the importance of manufactured housing in providing decent, sustainable, and affordable housing;

(2) recognizes the importance of manufactured housing in contributing to homeownership in the United States;

(3) recognizes the importance of homeownership, including homeownership of manufactured homes, in building strong communities and families; and

(4) recognizes and fully supports the goals and ideals of Manufactured Housing Week and National Homeownership Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. DONNELLY) and the gentleman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. DONNELLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DONNELLY. Mr. Speaker, I yield myself as much time as I may consume.

Today, I rise in strong support of House Resolution 1010, a resolution honoring the importance of manufactured housing to our country.

As we celebrate homeownership during the month of June, we also honor the third week of this month as Manufactured Housing Month, recognizing that manufactured homes offer hard-working American families the option to purchase quality homes at an affordable price.

This \$8 billion a year industry provides jobs for people not only in the Second District of Indiana, but throughout our country. More than 18 million people live in over 10.5 million homes. I have seen firsthand in my district how these homes have continued a tradition of quality and safe construction over the years. They present a high-quality, affordable housing option for all families.

Mr. Speaker, manufactured housing has come a long way over the years, and often people cannot tell the difference between a modular home and a site-built home. Manufactured homes have a factory production process which provides technological advantages, value, and customization options for consumers seeking quality housing and sustainable homeownership.

Additionally, manufactured homes are built to a national standard under the HUD Code, which governs the construction, the engineering, the quality, safety, and systems performance. The HUD Code supports innovation, consumer safety, efficiency, and quality while preserving manufactured housing's affordability and its customization.

We have all witnessed the ongoing turmoil in the housing market, and I believe it is essential that we look to affordable manufactured housing as a viable solution to this problem.

Creating affordable homeownership is one of the fundamental building blocks of our society, and it plays a fundamental role in achieving the American Dream. It helps to provide families with economic security and build strong communities.

I urge my colleagues to support this resolution today and pass House Resolution 1010.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I rise today in support of H. Res. 1010, which recognizes the importance of manufactured housing in the United States.

Manufactured housing plays an important role in meeting this country's housing needs and is an important source of quality, affordable housing, including both homeownership and rental housing. In recent years, manufactured housing placements accounted

for more than one-quarter of all new housing starts.

Despite the country's overall drop in home prices, the need for quality, affordable housing has never been greater. Because it is an important source of affordable housing, manufactured housing should be viewed as a critical part of the solution to the ongoing troubles in our housing market.

Today's manufactured homes can deliver quality dwellings and at prices ranging from 10 to 35 percent less per square foot than conventional site-built homes. These savings allow more and more Americans to own their own home or access affordable rental housing units.

The manufactured housing industry has evolved in the last decade to deliver a better quality, more affordable product. The affordability of manufactured housing is mainly attributable to the efficiency of the factory process. The controlled environment and assembly-line techniques remove many of the problems of the site-built sector, such as poor weather, theft, vandalism, and damage to building products and materials stored onsite. Also, factory employees are trained, scheduled, and managed by one employer as opposed to the system of contracted labor on a site-built sector.

As a Congress, we must do all we can do to encourage affordable rental and homeownership opportunities for all Americans. Today's manufactured housing industry helps build communities and supports innovation, consumer safety, efficiency, and quality while preserving the affordability and customization of its housing units.

The legislation before us recognizes and fully supports the goals and ideals of Manufactured Housing Week, and I urge my colleagues to support the resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. DONNELLY. Mr. Speaker, I yield as much time as he may need to the co-chair of the Manufactured Housing Caucus, Mr. ETHERIDGE of North Carolina.

Mr. ETHERIDGE. I thank my friend, Congressman DONNELLY, for yielding to me.

Mr. Speaker, I am pleased to support H. Res. 1010, recognizing the importance of manufactured housing in the United States.

Unfortunately, far too many homeowners are facing difficulties during this current National Homeownership Month. Housing prices are dropping, home sales are stagnating, and thousands of families are facing the prospect of foreclosure.

Manufactured housing can provide a sustainable and affordable housing alternative. Instead of being trapped in exotic mortgages with high interest rates, many Americans can choose cost-effective manufactured housing. This sector of the housing market has also experienced an evolution in the types and quality of homes that they

build, offering a wide array of designs that can fit the needs of more families.

In addition, Congress has passed legislation that provides tax credits for the builders of these homes to meet energy efficiency standards. These Energy Star labeled homes are more energy efficient and can provide savings in the face of rising energy costs.

Manufactured housing can be a critical component in achieving two of HUD's most important priorities, providing increased affordable housing, and reducing dependencies on subsidized housing.

In addition, as a member of the Homeland Security Committee, I also recognize the importance that manufactured housing can play in the wake of a natural disaster. Manufactured housing can provide a quick, safe, and efficient way to house these victims and provide families with shelters as they put their lives back together.

Owning a home is a large part of the American Dream. I support this resolution as well as the goals and ideals of Manufactured Housing Week. I urge my colleagues to vote for the passage of H.R. 1010.

Mrs. CAPITO. Mr. Speaker, I would like to yield such time as he may consume to my colleague from Indiana (Mr. SOUDER).

Mr. SOUDER. I thank the gentlelady.

I rise in support of H. Res. 1010. As a cosponsor of my neighbor and colleague Mr. DONNELLY's resolution, I appreciate his leadership.

I very much appreciate Chairman FRANK's backing this and Congressman CAPITO, and others, because this is an important resolution to recognize the importance of manufactured housing, particularly in the third week of June as the Manufactured Housing Week.

As you've already heard, manufactured housing is a largely underappreciated segment of our Nation's housing industry, even though it uniquely provides both high-quality and affordable housing for millions of Americans.

Companies in my district are numerous across northern—and particularly north central—Indiana—the center of the recreational vehicles industry, as well as manufactured housing. Fairmont in Nappanee, Four Seasons in Middlebury, Patriot in Elkhart, as well as Liberty in Goshen. Forest River has the Hart Homes. We have Coachman. Fleetwood has a huge facility just south of Fort Wayne in Decatur, Schulte Homes. And I could go on with a list. Up to 4,000 jobs in the Third Congressional District in Indiana are related to manufactured housing directly.

Most Americans do not understand how far this housing industry has developed, and the industry suffers from many unfair stereotypes. No longer is manufactured housing the domain of so-called trailer parks on the outskirts of town. In fact, many Americans, even in the typical leafy subdivisions, share a fence with a manufactured home and they don't even know it. For example,

this one from Liberty Homes shows the island kitchen. You see them with vaulted ceilings, four- and five-bedroom homes only for 20, 30, \$40,000 less than a site-built home.

□ 1600

For example, a beautiful two-story deluxe 2,000-square-foot multisectional home in my district can sell for just over \$100,000, as I said, 10 to 35 percent less than a site-built home. They also gain in energy efficiency. The quality of manufactured homes was shown by the fact that on the gulf coast, among those that best withstood the high winds of Hurricanes Katrina and Rita were manufactured homes. Indeed, in some neighborhoods, manufactured homes were the only ones left standing after the storms blew through.

Given manufactured housing's dual strength in both superior price and quality, we need to recognize and salute this industry. It is a frustrating time in housing as we look at the those who took advantage in the financing end of people's ability to repay or overvalued the homes. But we need to make sure that low- and middle-income people who are striving for better housing can still have access to affordable housing, and manufactured housing is a critical part of that.

We have also seen much alarm in nonscientific facts relating to formaldehyde. Formaldehyde is in the wood. It is not in any particular kind of housing. It's on this House floor. It's in these seats. It's in the Speaker's podium. The question is the size and scale of the unit because formaldehyde is a repellant and an adhesive. And we need to have scientific facts. The fact is that all homes contain wood. It has nothing to do with any particular category. And many thousands of people can have their jobs endangered because of nonscientific political bashing of particular categories. Manufactured housing, in fact, has the same characteristics in this regard as traditional site-built housing.

We also need to make sure that as we look at down payment requirements, and how we deal with very difficult subjects as we go into the housing market, that we understand that manufactured homes, in fact, have the same appreciation as site-built homes. It is just often because they are more affordable, the individuals may not have the same income mix. And we need to figure out a way to make sure that people have access to good quality housing, and that is the American Dream.

I thank the thousands of workers in my district, Mr. DONNELLY's district and across this entire Nation who are providing affordable housing so people can live the American Dream.

Mr. DONNELLY. I want to thank my good friend, Mr. SOUDER, from the district right next to me. We work together on so many issues. I also thank Mrs. CAPITO.

I continue to reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I would like to yield as much time as he may consume to the gentleman from Florida (Mr. FEENEY).

Mr. FEENEY. I thank the gentlelady. I thank my good friend, Mr. DONNELLY, and Chairman FRANK.

Manufactured housing, as has been said, plays a vital role in meeting the needs of families to get affordable, attractive and safe housing throughout our country. There are some 18 million Americans that live in manufactured housing in America. And as the gentleman from Indiana just said, the quality and the attractions just get better every day. It is an important source of quality affordable housing, and it helps new entry-level buyers as well as retirees trying to downsize on both ends of the housing spectrum, whether getting in for the first time or they're living perhaps in the last home that they will own.

It is a responsible means of homeownership that can play a major role in the solution to America's affordable housing problem. The average price of today's manufactured housing hovers somewhere around \$48,000, and in a challenging mortgage market where fewer and fewer people have access to credit, this is one way to solve the problem that many homeowners have.

There are lots of homeowners today throughout America that are losing their homes in foreclosure. And yet because of the affordable nature of manufactured housing, they have not seen a dramatic rise in most places as we have in some communities in the rate of foreclosure throughout the country. Manufactured housing is an important component of the solution for affordability and access to the American Dream for every American.

June is designated as the National Home Ownership Month. One of the great choices Americans have is for quality manufactured housing. Again, I thank the sponsor of the bill.

Mr. DONNELLY. Mr. Speaker, I yield back the balance of my time.

Mrs. CAPITO. I yield back the balance of my time and urge passage of the bill.

The SPEAKER pro tempore (Mr. CAPUANO). The question is on the motion offered by the gentleman from Indiana (Mr. DONNELLY) that the House suspend the rules and agree to the resolution, H. Res. 1010.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

EDWARD WILLIAM BROOKE III CONGRESSIONAL GOLD MEDAL ACT

Mr. FRANK of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 682) to award a congressional gold medal to Edward William Brooke III in recogni-

tion of his unprecedented and enduring service to our Nation.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 682

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Edward William Brooke III Congressional Gold Medal Act".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Edward William Brooke III was the first African American elected by popular vote to the United States Senate and served with distinction for 2 terms from January 3, 1967, to January 3, 1979.

(2) In 1960, Senator Brooke began his public career when Governor John Volpe appointed him chairman of the Boston Finance Commission, where the young lawyer established an outstanding record of confronting and eliminating graft and corruption and proposed groundbreaking legislation for consumer protection and against housing discrimination and air pollution.

(3) At a time when few African Americans held State or Federal office, Senator Brooke became an exceptional pioneer, beginning in 1962, when he made national and State history by being elected Attorney General of Massachusetts, the first African American in the Nation to serve as a State Attorney General, the second highest office in the State, and the only Republican to win statewide in the election that year, at a time when there were fewer than 1,000 African American officials in our nation.

(4) He won office as a Republican in a state that was strongly Democratic.

(5) As Massachusetts Attorney General, Senator Brooke became known for his fearless and honest execution of the laws of his State and for his vigorous prosecution of organized crime.

(6) The pioneering accomplishments of Edward William Brooke III in public service were achieved although he was raised in Washington, DC at a time when the Nation's capital was a city where schools, public accommodations, and other institutions were segregated, and when the District of Columbia did not have its own self-governing institutions or elected officials.

(7) Senator Brooke graduated from Paul Laurence Dunbar High School and went on to graduate from Howard University in 1941.

(8) Senator Brooke's enduring advocacy for self-government and congressional voting rights for the citizens of Washington, DC has roots in his life and personal experience as a native Washingtonian.

(9) Senator Brooke served for 5 years in the United States Army in the segregated 366th Infantry Regiment during World War II in the European theater of operations, attaining the rank of captain and receiving a Bronze Star Medal for "heroic or meritorious achievement or service" and the Distinguished Service Award.

(10) After the war, Senator Brooke attended Boston University School of Law, where he served as editor of the school's Law Review, graduating with an LL.B. in 1948 and an LL.M. in 1949, and made Massachusetts his home.

(11) During his career in Congress, Senator Brooke was a leader on some of the most critical issues of his time, including the war in Vietnam, the struggle for civil rights, the shameful system of apartheid in South Africa, the Cold War, and United States' relations with the People's Republic of China.

(12) President Lyndon B. Johnson appointed Senator Brooke to the President's Commission on Civil Disorders in 1967, where his work on discrimination in housing would serve as the basis for the 1968 Civil Rights Act.

(13) Senator Brooke continued to champion open housing when he left the Senate and became the head of the National Low-Income Housing Coalition.

(14) Senator Brooke has been recognized with many high honors, among them the Presidential Medal of Freedom in 2004, an honor that recognizes "an especially meritorious contribution to the security or national interests of the United States, world peace, cultural or other significant public or private endeavors"; the Grand Cross of the Order of Merit from the Government of Italy; a State courthouse dedicated in his honor by the Commonwealth of Massachusetts, making him the first African American to have a State courthouse named in his honor; the NAACP Spingarn Medal; and the Charles Evans Hughes award from the National Conference of Christians and Jews.

(15) Senator Brooke's biography, *Bridging The Divide: My Life*, was published in 2006, and he is the author of *The Challenge of Change: Crisis in Our Two-Party System*, published in 1966.

(16) Senator Brooke became a racial pioneer, but race was never at the center of his political campaigns.

(17) He demonstrated to all that with commitment, determination, and strength of character, even the barriers once thought insurmountable can be overcome.

(18) He has devoted his life to the service of others, and made enormous contributions to our society today.

(19) The life and accomplishments of Senator Brooke is inspiring proof, as he says, that "people can be elected on the basis of their qualifications and not their race".

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the costs of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited into the United States Mint Public Enterprise Fund.

The SPEAKER pro tempore. Pursuant to the rule the, gentleman from Massachusetts (Mr. FRANK) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, this bill was sponsored in the Senate by our very cherished colleague, Senator KENNEDY, who served with former Senator Brooke for many years. It has been carried in the House with great vigor and care by our colleague from the District of Columbia (Ms. NORTON) and I yield her such time as she may consume.

Ms. NORTON. Mr. Speaker, I thank my good friend, the dean of the Massachusetts delegation, not only for his assistance but for his generosity in yielding to me first on this bill that I sponsored along with him and the entire Massachusetts delegation.

I have to begin by thanking the many, many Republicans and Democrats who are part of the two-thirds that are necessary to award the Congressional Gold Medal. As you are aware, it is a pretty arduous process. In this case, it was not because of the underlying substance of the bill, but because when Members sign on to a bill they obviously have to know something about it. And you have to go from Member to Member.

I am pleased to say that many, indeed most, remembered Senator Brooke, who is alive, and I would say alive and well, if you could talk with him. He has had some illness. I will speak of it in a moment. Of course, it was necessary to remind others of Senator Edward Brooke who became the first African American elected to the United States Senate in 1967 presciently ahead of his time. He was the first popularly elected Black Senator.

I thank Members because I never encountered a Member who didn't see Senator Brooke as a historic figure worthy of the highest award the Congress can give, the Congressional Gold Medal.

Senator EDWARD KENNEDY, of whom the gentleman from Massachusetts spoke, quickly gathered his two-thirds. Our thoughts and prayers are with him. The thoughts and prayers of the American people have been with him since his illness was discovered. He quickly gathered his two-thirds and passed this bill in the Senate. His colleagues understood Senator Brooke's accomplishments in that "club," after all. He was able to get not only his colleagues to sign on quickly but to get the bipartisan leadership. The majority leader, Mr. REID, the assistant leader, Mr. DURBIN were cosponsors. The minority leader, Mr. MCCONNELL, was a cosponsor. Senators TED STEVENS, JOHN WARNER and JOHN KERRY were cosponsors.

That gives you the flavor of the degree of respect former Senator Brooke enjoys.

Now, I must say for the RECORD that Senator Brooke is a man who is known for his modesty. He never expected the Congressional Gold Medal. When I approached him to tell him I thought he deserved it, he warned me away from this effort. But he should have expected it. President Bush, 4 years ago, awarded Senator Brooke the Nation's highest medal, the Presidential Medal of Freedom Award. But after all, Senator Brooke was a Member of the United States Congress.

We noted last week the first African American was nominated for the presidency by a major party. The country deserves the self-congratulations it took for the distance it has come and that Senator Obama's nomination signaled.

We must remember, however, that Senator Brooke was elected to the Senate from the State of Massachusetts as a Republican. In 1967 our country was just starting down the road we are traveling and towards the landmark we saw last week. After all, the 1964 Civil Rights Act had just been passed. The 1965 Voting Rights Act had just been passed. We are talking 1967, when Senator Brooks was first elected.

1967 was the beginning of the urban disturbances known as "the riots," which swept the country even before Martin Luther King's assassination, and even before Senator Robert Kennedy's assassination. There was an openly hostile climate to issues affecting race. And racial attitudes were often retrograde.

Mr. Speaker, I began this effort and began to think about Senator Brooke during the struggle for the D.C. Voting Rights Act because the analogies to our struggle and to his seem to me inescapable. Senator Brooke is a native Washingtonian. He spent his entire life in this city. He never left the city until he went to the Armed Forces of the United States of America. The Senator grew up in this city when there was no example of democracy, much less a public official to emulate. There was no vote for President when he grew up in the District of Columbia. There was no self-government at all. The city was run by three commissioners from the Congress of the United States. It had been kept a segregated city by the Congress of the United States. So the medal for Senator has a double symbolic quality for those of us who live in the District of Columbia.

What is most amazing about Senator Brooke is he seemed undaunted by any of the so-called barriers he encountered. The city was as segregated as any southern city in the United States. He went to public schools that will be familiar to D.C. residents—Shaw Junior High School and Dunbar High School were still segregated when I was graduating. He went to Howard University for his college education and then stayed right here to go to Howard Law

School. How could Senator Brooke have thought of himself as a Senator?

He probably, at the time he was at Dunbar and at Howard, did not think about the fact that he would be the first African American attorney general in the United States and the first African American popularly elected to the Senate. He could hardly have thought as a Republican who attained these offices in a heavily Democratic State then and now—that that would be his fate. But he had no fate. He obviously had only his own sense of aspiration of who he was.

During his time in the Senate from 1967 to 1979, Senator Brooke was a strong advocate for the rights of D.C. residents who had nobody, had got home rule only during his time, strong advocate for home rule, got a delegate during his term, pressed hard for that. And he has been a major advocate for the pending D.C. Voting Rights Act, which again I thank this House for passing in 2007. He made calls to Senators urging passage. And during his book tour last year he spoke of the importance of passage of the D.C. Voting Rights Act. His book tour concerned the publication of his autobiography, "Bridging The Divide: My Life."

□ 1615

Senator Brooke has breast cancer. Speaking of obstacles, he has regarded his recovery from this disease as an important obligation to educate men about the disease. He obviously has had some of the illnesses associated with being 88 years old, but I must say his robust mind leads me to believe that he will attend the ceremony in the Capitol Rotunda if we award him this medal. It is an amazing accomplishment that with all these strikes against him, he didn't even seem to notice.

So 208 years since the framers of our Constitution expected Congress to grant DC voting rights once it became the capital under its jurisdiction, in this very year when we expect in fact to get that right, I ask this House to do what it has already done for voting rights and to award the Congressional Gold Medal to our native son. We are close to voting rights. It was filibustered, but we believe we can break that now.

I want to leave you with the Senator's own words when we told him that we were seeking the medal for him. He wrote this letter, which I ask to be entered into the RECORD, to his Republican colleagues, and he wrote a similar letter to his Democratic colleagues or former colleagues here, and I am quoting the Senator: "As much as I would appreciate such a high honor from my peers, I would place even greater priority on a full House vote for the American citizens who live in my hometown. The right for citizens of the city where I was born and raised was not achieved when I was a Member of Congress. Witnessing the District of Columbia obtain the right to be represented in the House with votes cast

by Republicans would mean more to me than any honor that I could achieve as an individual."

I said he was modest. He means it. I think he means that sentiment. I ask that Senator Brooke be awarded the Congressional Gold Medal.

MARCH 21, 2007.

DEAR DEMOCRATIC MEMBERS: I have written to Republican Members of the House as a life-long Republican and a native Washingtonian, who was privileged to serve as the first African American elected by popular vote to the U.S. Senate (Massachusetts from 1967-1979). I am writing to Democrats as well to thank you for your long support of voting rights and home rule for my hometown, and to ask you to cast your vote for H.R. 1433, the District of Columbia House Voting Rights Act of 2007. I grew up in the District when it was as segregated as other Southern cities, including the city's public schools, and I was educated at Howard University. We had no local or federal rights, even to govern ourselves or to vote for President, and no one to represent our concerns in the Congress. A Democratic Congress changed all of that when Democrats and a Republican president granted the citizens of the nation's capital home rule and a delegate to the House. Now you have another historic opportunity to grant these tax-paying citizens the full representation in the "People's House" that they deserve.

At 87 years of age, I have had rare privileges and honors as an American citizen that few Americans, particularly residents of the District have never enjoyed. At a recent press conference at the Capitol held by senators to celebrate my recently published autobiography, I learned that members of my congressional delegation and others were seeking for me the highest congressional honor, the Congressional Gold Medal. I could not help but be overwhelmed, but I had to say that as much as I would appreciate such a high honor from my peers, I would place even greater priority on a full House seat for the citizens of my hometown.

I was elected as the nation's first Black attorney general and then as the first African American elected by popular vote to the United States Senate when Black Americans running for state wide office seemed the stuff of fantasy. However, I had to leave my hometown to become a Member of Congress or be represented at all. Nothing would mean more to me, particularly at this stage in my life, than witnessing Democrats and Republicans voting together to afford voting rights to the citizens of the District of Columbia.

I believe that Voting Rights Reauthorization in 2006 and the D.C. House Voting Rights Act of 2007 are equivalent in their historic purposes and deep meaning. Both bills are the same in extending long-denied congressional voting rights, and in the District's case, to an African American city as well. I lived in the District until I joined the Army and was proud to serve as a combat infantry officer in [captain during] WWII. The experience of living in a segregated city and of serving in our segregated Armed forces helps explain why the pending D.C. House Voting Rights Act is so important to me personally.

I have been heartened by the strong support of the Democratic leadership and committee chairs and members who are swiftly bringing this bill to the floor early in the session. The bill has passed twice by overwhelming majorities in the Oversight and Government Reform Committee and this year by a two-to-one vote by the Judiciary Committee. I ask that you join the large majorities in those committees and vote for H.R. 1433.

I am grateful for your work and attention to voting rights for all Americans.

Sincerely yours,

EDWARD W. BROOKE,
U.S. Senator, Retired.

MARCH 21, 2007.

DEAR FELLOW REPUBLICAN: As a proud life-long Republican, an African American, and a native Washingtonian, I was not destined to become a United States Senator when I was elected in 1966. Yet, I served with some of you as a senator from Massachusetts (1967-1979). It is the Republican Party that gave me the opportunity not only to run, but also to serve statewide in offices that even now are still rare for African Americans to achieve. The Republican Party allowed me not only to represent others. The Republican Party allowed me to be represented in the Congress of the United States. I am asking you to do the same for the tax paying citizens of my home town and to vote for passage of the District of Columbia Voting Rights Act of 2007.

Last year, I was especially proud to watch my party lead the passage of the reauthorization of the historic 1965 Voting Rights Act and to see a member of my party, Representative Tom Davis of Virginia, initiate a similar bill for the District of Columbia. Now you have before you another historic voting rights bill. At 87 years of age, I have had rare privileges and honors as an American, including the nation's highest honor generously given to me two years ago by President George Bush. At a recent press conference at the Capitol held by senators to celebrate my recently published autobiography, I learned that members of my congressional delegation and others were seeking for me the highest congressional honor, the Congressional Gold Medal. I could not help but be overwhelmed, but I had to say that as much as I would appreciate such a high honor from my peers, I would place even greater priority on a full House seat for the American citizens who live in my home town. This right for citizens of the city where I was born and raised was not achieved when I was a member of Congress. Witnessing the District of Columbia obtain the right to be represented in the House with votes cast by many Republicans would mean more to me than any honor I could achieve as an individual.

I will always be grateful to the Republican party that pressed and strongly supported my candidacies, as the nation's first Black attorney general and then as the first African American elected by popular vote to the United States Senate. Republicans were first in their willingness to break ancient barriers, in the 1960's, when Black Americans running for statewide office seemed the stuff of fantasy. I was able to run and win because the Republican Party never wavered because of my race in a state where only two percent of the residents were Black. I hope you will not hesitate now in granting my hometown a vote in the House of Representatives for the first time in the two centuries of the city's existence as our nation's capital.

The Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006 and the D.C. House Voting Rights Act of 2007 are equivalent in their purposes and their deep meaning. Both bills are the same in extending long-denied congressional voting rights, and in the District's case, to a majority Black city as well. I grew up in the District when it was as segregated as other Southern cities, including the city's public schools, and was educated at Howard University. We had no local or federal rights, even to govern ourselves or to vote for President, and no one to represent our concerns in the Congress. I did not live elsewhere until I joined

the Army and was proud to serve as a combat infantry officer during WWII. The experience of living in a segregated city and of serving in our segregated Armed forces perhaps helps explain why my party's work on the Voting Rights Act reauthorization last year and on the pending D.C. House Voting Rights Act has been so important to me personally. The irony, of course, is that I had to leave my hometown to get representation in Congress and to become a Member. Nothing would mean more to me, particularly at this stage in my life, than witnessing Republicans and Democrats voting together to afford voting rights to the citizens of the District of Columbia.

H.R. 1433 has been passed twice by overwhelming majorities by the Oversight and Government Reform Committee and once by a two-to-one vote by the Judiciary Committee. I ask that you join those Republicans and Democrats in voting for H.R. 1433 on the House floor.

I am deeply grateful to you for your work and attention to voting rights for all Americans.

Sincerely yours,

EDWARD W. BROOKE,
U.S. Senator, Retired.

Senator EDWARD KENNEDY, the Massachusetts delegation, Congressional Black Caucus Chair CAROLYN C. KILPATRICK, and I are proud to introduce the Edward William Brooke III Congressional Gold Medal Act. Senator Edward Brooke has been much honored as an outstanding two-term senator (1967–1979) who is still remembered for his courage and independence on the difficult issues of his time—from the Vietnam War to his leading work in the passage of the Fair Housing Act of 1968. President Bush awarded Senator Brooke the Presidential Medal of Freedom in 2004. At 87, his autobiography, *Bridging the Divide: My Life* tells the Senator's remarkable story. That story began here in the District of Columbia, where Senator Brooke was born and raised, and graduated from Dunbar High School and Howard University. Senator Brooke rose to the rank of captain in the segregated 366th Infantry Regiment in the U.S. Army, and won a Bronze Star Medal and the Distinguished Service Award. His autobiography reads like a personal and political adventure of a man born in the segregated capital, a city with no local elected officials or Members of Congress, who went on to become the first African American official elected statewide, when he won election as Attorney General, the second highest office in the state, and the only Republican to win statewide election that year. In 1966, Senator Brooke became the first African American elected by popular vote to the Senate of the United States. "Trailblazer" does not aptly describe the courage it took for an African American to run, much less win state-wide office as a Republican in a predominately Democratic state, where 2 percent of the population was African American.

I take special pride and pleasure in introducing this bill in the House, along with the Massachusetts delegation and the chair of the Congressional Black Caucus. My Massachusetts colleagues justifiably claim Senator Brooke as a son of Massachusetts. We in the District concede that Massachusetts voters also deserve credit in refusing to allow racial barriers, that still remain formidable in most States, overwhelm Senator Brooke's qualifications for high office. However, I hope that Massachusetts citizens will forgive the residents of the Senator's hometown if we insist that Edward William Brooke III be counted the

adopted son of Massachusetts. Senator Brooke's family, the District of Columbia Public Schools, Howard University, and the proud African American community both sheltered and prepared him for his remarkable life and service to the people of Massachusetts and the Nation.

We are especially grateful for the Senator's devotion to H.R. 328, the District of Columbia Fair and Equal House Voting Rights Act of 2007. Senator Brooke has worked devotedly for passage of the pending legislation. While in the Senate, he never forgot that his hometown had no Senator and needed him, too. Speaking on the Senate floor for passage of the Voting Rights Amendment in 1978, Senator Brooke made it clear, as he does today, that this matter also was personal for him. He said, in part, "[M]y enthusiastic endorsement of House Joint Resolution 554 is based primarily on fundamental concepts of liberty and justice, but my support and interest are also intensely personal, for my roots are in Washington, DC. I was born and raised here. I attended and graduated from Shaw Junior High School, Dunbar High School, and Howard University. For as long as I can remember, I have fought, along with family and friends and colleagues, to attain the goal of providing for the citizens of the District of Columbia the same rights and privileges that other citizens throughout the Nation have enjoyed." Because the Congressional Gold Medal is the highest honor that Congress can bestow, it is necessary that at least 290 Representatives and 67 Senators sign on as cosponsors. I urge every Member of the House and Senate to become cosponsors before the end of Black History Month on February 28th.

Mrs. CAPITO. Mr. Speaker, rarely, and rightly it is rare, do we honor one of our own with the highest civilian honor we can bestow, the Congressional Gold Medal. But rules are made to be broken, and just as Ed Brooke broke an unwritten rule and became the first African American popularly elected to the Senate since Reconstruction, we should break another and honor his courage and achievements.

Just as it may be hard for college students of today to imagine segregated bathrooms and drinking fountains, it is hard for all of us to imagine a Congress without African Americans and others of color. So it is especially important to think back to the historic day when this humble man took the oath of office in the Senate 41 years ago on January 3, 1967. The America of that time, as my colleague has noted, was not far past the struggles that led to the passage of the Civil Rights Act, which this Chamber voted a couple of months ago to honor with a commemorative coin.

Mr. Speaker, many of us know the general outline of Ed Brooke's life: a soldier in the Second World War, a lawyer whose 1966 book "The Challenge of Change" focused on African Americans in the United States and on politics. I doubt that many Members know though that he was actually a native of the District of Columbia, as the gentleman noted.

Born here October 26, 1919, he was a graduate of both Harvard and Boston University and followed in his father's footsteps as a lawyer before being

elected Massachusetts Attorney General and then on to the United States Senate, where he served two terms.

Mr. Speaker, this bill was sponsored by our colleague in the Senate, Senator TED KENNEDY, also of Massachusetts, with 67 cosponsors, and he assured its passage before his unfortunate illness. We hope for him and his family the very best. Our prayers are with them. Here in the House a companion bill, H.R. 1000, was sponsored by our colleague Ms. ELEANOR HOLMES NORTON, and she has collected 290 cosponsors.

Mr. Speaker, this bill honors a man, Senator Ed Brooke, but it also honors an idea and an achievement, that we are all equal, and that election to the United States Senate is open to any American who can prove to the voters that his or her ideas and character are appropriate and best represent their State, regardless of race, creed or religion. We should take this opportunity to celebrate that notion.

I urge immediate passage.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. How much time remains, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 8 minutes left.

Mr. FRANK of Massachusetts. I yield myself 4 minutes.

I consider it a great honor to be able to stand on the floor of this House and as the Chair of the committee bring out the bill that would honor Ed Brooke. As a citizen of Massachusetts in 1972 and again in 1978, and as a fairly partisan Democrat, I was proud publicly to endorse him for reelection both times to the Senate.

The gentlewoman from the District of Columbia made the point he was the first African American elected attorney general and then to the Senate only shortly after this country officially said segregation was morally and legally wrong. 1954 was the *Brown v. Board of Education* decision, not made final until 1955 in its decree. Seven years later Ed Brooke is elected attorney general. And as we look back now, it is probably difficult for some people to understand what an important accomplishment that was. But he is not a man who should be honored simply for having broken those barriers, because having gotten the opportunity, he used it.

The committee I chair has jurisdiction over housing. As I work in the housing area, I find myself frequently trying to preserve some of the pioneering efforts on behalf of affordable housing that Ed Brooke created. I was very proud about a month or so ago when he called to say that he liked what we were doing.

I was just reminded, Mr. Speaker, when I was up in our State of Massachusetts over the weekend, that it was in 1978, in his last year in the Senate, that Ed Brooke began the policy of saying that when housing had been built with Federal help with a certain restriction that set it aside for lower

income people and those restrictions expire, it shouldn't be simply sold to the highest bidder, but that public policy ought to make some efforts to preserve it for people who were in need of housing. We are still fighting that fight today.

We have something known as the Brooke amendment, one of the greatest acts of compassion ever to pass this body. It said originally that the poorest of the poor who get housing through various public programs shouldn't be expected to pay more than 25 percent of their income for housing, precisely because they have so little. That was changed, regrettably, in the eighties. I voted against it, but it was changed to 30 percent. But it is still there. It is still the Brooke amendment. It is still a major barrier to a degradation in the quality of life of lower income people, because there are those who would make them pay 40 and 50 and 60 percent of their income, depriving them and their children of the necessities of life. So it is with great pride that we fight and have fought to continue the Brooke amendment.

Senator Brooke was a leader in a number of areas. Yes, he broke the barrier of racism and became the first African American to win statewide office in Massachusetts and then to come to the Senate at a time when racism was even more virulent than it is today. We have made strides in diminishing it.

But, as I said, he didn't just do that. He was a leader in a number of areas, and particularly in the housing area. I don't believe anybody who has ever served in the Congress of the United States has a record that exceeds his.

So I am delighted to join under the leadership of our colleague Senator KENNEDY and the gentlewoman from the District of Columbia (Ms. NORTON) in voting for this medal, the second medal, the third medal that Brooke will have gotten, because he got the Presidential Medal of Freedom and he earned the Bronze Medal in World War II, fighting in a segregated outfit, putting patriotism ahead of the indignities to which he submitted in the fight against that terrible tyranny.

This is a medal well earned by a man who exemplified the commitment to the public welfare that we could well remember today.

Mr. Speaker, I am pleased that because of the energy of a number of people, we are going to be awarding this gold medal to a man who so richly deserves it.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I have no further speakers, so I will continue to reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield my remaining time to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank my good friend, the chairman of our Financial Services Committee, for the words that he said about Ed Brooke. He would be one to know, another great leader in the area of opening up hous-

ing for all. And I thank my good friend from the District of Columbia.

Ed Brooke, as Ms. NORTON has made clear, grew up in D.C., graduated from Dunbar, Harvard University, and then, of course, went on to be the editor of the Law Review at Boston University and got a Bronze Medal for his service in the military.

But I got to know Ed Brooke from a different perspective. In fact, Terry Lierman, who is now the chief of staff to our majority leader, and I were on the Appropriations staff when Ed Brooke was the ranking Republican. And what he did is incalculable in terms of school busing, in terms of women's reproductive rights, in the area of opening up federally-subsidized housing particularly, but housing throughout the Nation to all.

Ed Brooke was a temple of justice. His intellect was unparalleled. But what he exuded was a certain class, a dignity that just transcended partisanship. He was able to work with some of the, frankly, most narrow-minded Members of the Senate to get them to take votes that were the right thing to do. And he took very little credit for it. That is why this is so appropriate, to give him credit now, because he made a profound difference in the course our country took 30 years ago.

He would sit there in his calm, measured tone. He would explain why it is right to open up all of society and all of our economy to everyone who was willing to work hard and obey the law.

Ed Brooke was a model that all of us should look to for leadership. He was an extraordinary person. This is an extraordinary action we are taking today, but it is for someone who fully deserves it.

Again, I thank my colleagues here, and I thank the Congress for making this happen today.

I will yield the remainder of my time to Mr. FRANK.

Mrs. CAPITO. I continue to reserve.

Mr. FRANK of Massachusetts. Mr. Speaker, I am about to yield back.

Ed Brooke, in addition to being a superb United States Senator who fought very hard and very effectively for economic fairness and obviously against racial prejudice, but he also was the chief law enforcement officer of the Commonwealth of Massachusetts for 4 years.

Just to give people a flavor of that, I will mention one accomplishment. It was under his attorney generalship that the Boston Strangler was prosecuted and imprisoned. So people who may not otherwise be able to relate should know. And if you saw him in the movie, I think he was played by Raymond St. Jacques, but if you go see again the movie of the Boston Strangler, you will see a part of that book. We are here to talk about a number of other parts, including a superb legislative record on behalf of social fairness.

I am prepared to yield back if the gentlewoman is.

Mrs. CAPITO. Yes.

Mr. Speaker, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield back the balance of my time.

First I ask that all Members have 5 legislative days in which to submit their comments and material on this matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and pass the Senate bill, S. 682.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

RECOGNIZING THE 100 YEAR ANNIVERSARY OF THE ESTABLISHMENT OF ST. MARY'S COOPERATIVE CREDIT ASSOCIATION

Mr. HODES. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1145) recognizing the 100 year anniversary of the establishment of St. Mary's Cooperative Credit Association, the "Bank of the People," and the birth of the American credit union.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1145

Whereas America's first credit union was established in 1908, in Manchester, New Hampshire, in order to afford hard-working American textile workers access to credit and savings;

Whereas the St. Mary's Cooperative Credit Association, later to be named the "Bank of the People", would lay the foundation for the creation of over 8,500 credit unions in America today, which serve over 90,000,000 members;

Whereas on June 26, 1934, President Franklin D. Roosevelt signed into law the Federal Credit Union Act, thus enabling credit unions to be organized throughout the United States under the charters approved by the Federal Government;

Whereas St. Mary's Cooperative Credit Association and other credit unions created as a result of the passage of the Federal Credit Union Act played an instrumental role in helping hard-working Americans recover after the Great Depression;

Whereas credit unions have consistently carried on the traditions set by St. Mary's and exemplified the American values of thrift, self-help, and volunteers, carving out a special place for themselves among the Nation's financial institutions;

Whereas America's Credit Union Museum, located on the site of America's first credit union, maintains a mission of "educating present and future generations on the benefits of cooperative self-help efforts to promote thrift and sensible use of credit" and preserves the history and tradition of America's credit unions;

Whereas credit unions operate with the credo, "Not for profit, not for charity-but for

service" and have consistently reflected this philosophical tradition and the cooperative spirit of "people helping people" that gave birth to the Federal Credit Union Act; and

Whereas 2008 will mark the 100th anniversary of the establishment of St. Mary's Cooperative Credit Association in Manchester, New Hampshire, America's first credit union: Now, therefore, be it

Resolved, That the House of Representatives recognizes the 100th anniversary of the founding of St. Mary's Cooperative Credit Association, the "Bank of the People", and the birth of the American credit union.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Hampshire (Mr. HODES) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from New Hampshire.

□ 1630

GENERAL LEAVE

Mr. HODES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. HODES. Mr. Speaker, I yield to myself so much time as I may consume.

House Resolution 1145 recognizes the 100-year anniversary of the establishment of St. Mary's Cooperative Credit Association, the Bank of the People, and the birth of the American credit union.

I want to thank Financial Services Chairman BARNEY FRANK for his support in bringing this legislation to the House floor.

St. Mary's Bank Credit Union is the oldest credit union in the United States. It was founded in 1908. Its mission was and continues to be to help New Hampshire residents with a wide range of affordable products and services, including checking accounts, personal loans, real estate loans, business banking and savvy financial planning.

In 1917, the New Hampshire State legislature approved a bill changing the name from St. Mary's Cooperative Credit Association to La Caisse Populaire, Ste-Marie, The People's Bank. In 1925, an amended charter allowed the institution to be called either La Caisse Populaire, Ste-Marie, or St. Mary's Bank.

There are 24 credit unions in the State of New Hampshire with 403,000 members statewide. That's almost one-third of New Hampshire's population. New Hampshire credit unions alone have more than \$3.7 billion in assets. Credit unions provide an avenue for families struggling during the credit crunch in these tough financial times to get critical services and low-interest loans. In these tough times we must do everything we can to help working families drowning in debt, and credit unions are important to easing the fi-

nancial hardships on New Hampshire's working families.

Today's resolution honors our Nation's first credit union from New Hampshire, but the excellent work and important contributions to New Hampshire of St. Mary's stand as a fine example of the work of credit unions all across this Nation, which provide working families access to financial services they must have to prosper.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I rise to recognize the 100-year anniversary of the birth of the American credit union, the important role that credit unions have come to play in this country, and I urge support of H. Res. 1145.

Today more than 90 million Americans are members of a credit union. These millions of Americans are the beneficiaries of an experiment that began a century ago with the establishment of St. Mary's Cooperative Credit Association. From these humble beginnings in Manchester, New Hampshire, more than 8,000 credit unions have sprouted up that provide financial services to credit union members all across this Nation.

I would like to recognize credit unions for the important role they play in many distressed urban and rural areas. Many constituents have told me that they would not have been able to afford their own homes, start new business or even attend college without the help of their credit unions. I am also impressed by credit unions' commitment to financial literacy, which has helped credit union members become better educated consumers of financial services.

For these reasons, I support H. Res. 1145, celebrating the 100th anniversary of the American credit union.

Mr. Speaker, I reserve the balance of my time.

Mr. HODES. I thank Mrs. CAPITO for her support of this bill, and I also thank my colleague, Ms. SHEA-PORTER, for introducing the resolution.

Mr. Speaker, at this time I yield as much time as she may consume to the distinguished Congresswoman from New Hampshire, CAROL SHEA-PORTER.

Ms. SHEA-PORTER. Mr. Speaker, I want to thank my friend and colleague for his support on this resolution.

Mr. Speaker, I am pleased today to rise today to recognize the 100th anniversary of our Nation's first credit union. In 1908, St. Mary's Cooperative Credit Association, later to be renamed the Bank of the People, was established in Manchester, New Hampshire. Manchester had textile mills then. The mill workers' resources were pooled to create credit and savings opportunities for workers, many of whom were immigrants.

In 1934, 26 years after the establishment of St. Mary's, President Franklin D. Roosevelt signed the Federal Credit Union Act into law, allowing for the organization of credit unions under charters approved by the Federal Gov-

ernment. Today there are over 8,500 credit unions nationwide, and I think it's fair to say that St. Mary's truly laid the foundation for the success of credit unions nationwide.

This credit union model has withstood the test of time. From the Great Depression to modern-day globalization, the emphasis on local communities that is embodied in the concept of the credit union has earned these institutions a special place among our Nation's financial institutions.

St. Mary's even stayed open during the bank holiday of 1933, providing reassurance and help to its worried community. This commitment to community and access to credit and savings services is easy to see.

For example, in 1908, the cost of becoming a member of the St. Mary's Cooperative Credit Association was \$5. Today, after 100 years, the cost of signing up for anyone who lives or works in New Hampshire is \$5.

That is pretty remarkable.

So, Mr. Chairman, I am proud to honor St. Mary's 100th anniversary, and I urge my colleagues to join me in support of H. Res. 1145.

Mrs. CAPITO. Mr. Speaker, I yield back the balance of my time.

Mr. HODES. Mr. Speaker, I have no further requests for time and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Hampshire (Mr. HODES) that the House suspend the rules and agree to the resolution, H. Res. 1145.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL INFANTRY MUSEUM AND SOLDIER CENTER COMMEMORATIVE COIN ACT

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3229) to require the Secretary of the Treasury to mint coins in commemoration of the legacy of the United States Army Infantry and the establishment of the National Infantry Museum and Soldier Center, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Infantry Museum and Soldier Center Commemorative Coin Act".

SEC. 2. COIN SPECIFICATIONS.

(a) **\$1 SILVER COINS.**—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue not more than 350,000 \$1 coins in commemoration of the legacy of the United States Army Infantry and the establishment of the National

Infantry Museum and Soldier Center, each of which shall—

- (1) weigh 26.73 grams;
- (2) have a diameter of 1.500 inches; and
- (3) contain 90 percent silver and 10 percent copper.

(b) **LEGAL TENDER.**—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) **NUMISMATIC ITEMS.**—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 3. DESIGN OF COINS.

(a) **DESIGN REQUIREMENTS.**—

(1) **IN GENERAL.**—The design of the coins minted under this Act shall be emblematic of the courage, pride, sacrifice, sense of duty, and history of the United States Infantry.

(2) **DESIGNATION AND INSCRIPTIONS.**—On each coin minted under this Act, there shall be—

- (A) a designation of the value of the coin;
- (B) an inscription of the year “2012”; and
- (C) inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

(b) **SELECTION.**—The design for the coins minted under this Act shall be—

- (1) selected by the Secretary, after consultation with the National Infantry Foundation and the Commission of Fine Arts; and
- (2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 4. ISSUANCE OF COINS.

(a) **QUALITY OF COINS.**—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) **MINT FACILITY.**—

(1) **IN GENERAL.**—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(2) **USE OF THE UNITED STATES MINT AT WEST POINT, NEW YORK.**—It is the sense of the Congress that the coins minted under this Act should be struck at the United States Mint at West Point, New York, to the greatest extent possible.

(c) **PERIOD FOR ISSUANCE.**—The Secretary may issue coins under this Act only during the calendar year beginning on January 1, 2012.

SEC. 5. SALE OF COINS.

(a) **SALE PRICE.**—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

- (1) the face value of the coins;
- (2) the surcharge provided in section 6 with respect to such coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) **BULK SALES.**—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) **PREPAID ORDERS.**—

(1) **IN GENERAL.**—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) **DISCOUNT.**—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 6. SURCHARGES.

(a) **IN GENERAL.**—All sales of coins issued under this Act shall include a surcharge of \$10 per coin.

(b) **DISTRIBUTION.**—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be paid to the National Infantry Foundation for the purpose of establishing an endowment to support the maintenance of the National In-

fantry Museum and Soldier Center following its completion.

(c) **AUDITS.**—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the National Infantry Foundation as may be related to the expenditures of amounts paid under subsection (b).

(d) **LIMITATION.**—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. LINCOLN DAVIS) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to advise and extend their remarks on this legislation and to insert extraneous material thereon.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

The oldest and largest branch of the U.S. Army, the U.S. Army infantry, was established on June 14, 1775, when the Continental Congress ordered the formation of 10 companies of riflemen. The riflemen comprised the first armed force of a new Nation, a Nation destined to become the greatest democracy the world has ever known. Since that time, the infantry has gone where other forces could not go and accomplished missions others could not attempt.

The story of the Queen of Battle has been written by individual infantrymen who have done their duty with pride, courage and honor. Their suffering and sacrifices won our freedom, preserved that freedom for over two centuries and will guarantee it in the future. Some were called heroes, some were not, but they were all members of a band of brothers who fought for their country in the cause of freedom.

For more than two centuries the United States infantry has fought alongside other armed forces to protect their freedom. Their missions have sent them around the world and literally brought them face-to-face with the enemy.

From the Siege of Boston of 1775 to San Juan Hill, to the Battle of New Orleans, to the Argonne Forest, where Sergeant York distinguished himself, to the beaches of Normandy, they

hunted the enemy in the Shau Valley, parachuted into Panama, and currently subdue our enemies on cold mountain-side and hot desert sands in both Iraq and Afghanistan. When policymakers finished talking, when debate has ceased, when negotiations have failed and orders are given, it becomes the mission of the United States infantry to execute our national policy.

Their courage, pride and sense of beauty to country and each other stood tall above any fear they faced. But the battle for our freedom has been costly. As many as 80 percent of all the servicemen and women who have died serving their country were part of the infantry.

To honor the infantry's decorated history, the National Infantry Foundation, in coordination with the United States Army, have broken ground on a new world-class museum honoring them. Located on a 200-acre site of Fort Benning, Georgia, the National Infantry Museum will serve as a tribute to the infantry's legacy of valor and sacrifice. This museum will honor these soldiers for their selfless service to our country, while also preserving for all time the artifacts so poignantly telling their stories.

It will tell the story of our ground soldiers, from the colonial period to Operation Iraqi Freedom. Lessons of the past will be retold to help lead us in the future.

Our children must learn and know that there are values and beliefs worth living for and worth dying for, that the freedom and liberty we enjoy today has come at a high price, and that the American values of patriotism, duty, courage and leadership are the hallmarks of the infantry and must be preserved.

With 290 cosponsors, this bipartisan legislation honors the legacy of the United States infantry with the minting of the infantry coin. Money raised from the sale of the coins will go towards maintaining the National Infantry Museum.

I applaud the efforts of the National Infantry Foundation, its rich history deserves to be kept alive for all who follow. These heroes are perhaps too humble to tell their own story, so we will have to do it for them.

I thank the gentleman from Georgia for authoring this legislation, and I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I rise today in support of H.R. 3229, the National Infantry Museum and Soldier Center Commemorative Coin Act sponsored by our colleague from Georgia, Representative WESTMORELAND, and urge its immediate passage.

This legislation, as we have heard, authorizes the minting and sale of up to 350,000 silver \$1 coins in the year 2012, with surcharges on the sale of the coin going to fund work on the National Infantry Museum and Soldier Center being built in Patriot Park at Fort Benning near Columbus, Georgia.

The new National Infantry Museum will honor the legacy of the United States infantry on a 200-acre site that links Columbus, Georgia, with Fort Benning, the home of the infantry. The museum's galleries will trace infantry history from colonial times to the present and be designed to attract and educate all segments of the population with interactive learning, opportunities, high-tech classrooms, theatres and dramatic venues for sacred ceremonies.

An active education program will make the venue a must-see attraction for school groups and students of all ages. The focus of the educational effort will be to teach history, as the history of the United States Army Infantry parallels the history and growth of our country. Additional instruction will focus on leadership skills and the Army values of loyalty, duty, selfless service, respect, honor, integrity and personal courage. Research done by an internationally known museum planning firm estimates annual visitation of up to 400,000, which will make it one of Georgia's top tourist attractions.

In addition to the museum, there will be a 7-acre parade field for infantry and basic training graduations and change-of-command ceremonies. A Walk of Honor flanked by gardens and memorials will lead visitors to the museum and a recreated World War II-era Company Street, featuring the headquarters and sleeping quarters used by General George S. Patton in 1941 will take visitors back to the scenes of our country's largest wartime buildup. The facility will include a 3-D IMAX theater restaurant and museum store.

Visitors to this museum that is scheduled to open in just over a year will meet the infantryman face-to-face and join him on his journey. They will come to understand why an infantryman does what he does, why he puts himself in harm's way in defense of an idea. Surcharges on the sale of these coins will raise funds for a long-term endowment to ensure the maintenance of this important facility.

The infantryman is historic, and it is a heroic idea to build this museum to the infantry. I urge passage of this legislation, commend my colleague for offering it, and reserve the balance of my time.

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, I yield to the gentleman from Georgia (Mr. BISHOP) such time as he may consume.

Mr. BISHOP of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to join my colleague from Georgia (Mr. WESTMORELAND) and 288 other bipartisan cosponsors in support of H.R. 3229, the National Infantry Museum and Soldier Center Commemorative Coin Act.

In the history of organized military operations, the infantry occupies a unique place of honor. Life as an infantryman is a constant barrage of exercise and training often in brutal situations that simulate combat zone operations.

Due to the very nature of an infantry position of work with arms, bombs, and physical stress, casualties occur in both war and peacetime situations. The infantry is the main combatant in war. It fights the battle at the root and cuts off the enemy at the knee. It is at once the most fearless, courageous, noble, intelligent and selfless branch of the military.

□ 1645

From crossing the ice-filled Delaware River to walking the streets of Baghdad, it is the infantryman who is willing to pay the ultimate price to protect American freedoms.

I am proud to represent "The Home of the Infantry," Fort Benning, here in Congress, and I am humbled and honored to be a cosponsor of this legislation. A great nation is measured in part by how it remembers those who defended, preserved, and contributed to its heritage. The United States Army Infantry has contributed greatly over the years at a tremendous human cost, and it is incumbent upon those of us serving in Congress to pay tribute to their sacrifices.

The minting of the infantry coin will not cost the taxpayers any money and the sale of the coins will completely cover the cost of the minting. The mint will actually receive a small profit from every coin that is sold. Money raised from the sale of the coins will help make sure that the National Infantry Museum located at Fort Benning will always be the keeper of the history, artifacts, and memories of our brave Army Infantry.

The National Infantry Museum sits on a 200-acre site that will serve as a tribute to the infantry's legacy of valor and sacrifice, and will also serve as a functional area for basic training graduations and other special and community events. The museum will honor infantry soldiers for their selfless service to our country while also preserving for all time the history that so poignantly tells their stories.

I want to thank Major General (Retired) Jerry White and Colonel (Retired) Greg Camp for their years of hard work and dedication in making the National Infantry Museum a reality. In addition, I would like to thank Congressman LYNN WESTMORELAND as well as Edward Jones from Congressman WESTMORELAND's office, and Jonathan Halpern and Ed Larkin from my staff for their steadfast efforts on this project.

I urge my colleagues to please join me in supporting this legislation and in supporting our proud Army Infantry.

I urge the adoption of this legislation.

Mrs. CAPITO. Mr. Speaker, I yield such time as he may consume to the sponsor of this resolution, the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. It is my honor to be here today, and I do want to thank my colleague, SANFORD

BISHOP, for his hard work and helping me get the required number of signatures to get this commemorative coin, and anybody who has ever done that knows what a challenge it is to get the number of signatures required. I want to thank him and his staff; and also Edward Jones from my staff for all of their hard work and dedication that we have had over the months trying to get the requisite number of signatures.

For more than 200 years the United States Infantry has sought to protect our freedom. H.R. 3229 will honor the legacy of the United States Infantry with the minting of a commemorative coin. Eighty percent, as has been mentioned before here today, of American casualties are young men and women who have lost their life in battle were members of the infantry.

The Infantry Museum Foundation, in coordination with the United States Army, have already broken ground on this new National Infantry Museum. It has been my honor to visit it, and with General White walk through the street, the World War II street, to see the buildings that will afford our young men and women an opportunity to see what Army life was like during World War II. It also has the parade field which is now under construction, and will be a place where many ceremonies in the future will be held. Also, this building is going to be a green building. It is high tech. There is geothermal heating and cooling in the building. And as Mrs. CAPITO mentioned, a professional museum planner has worked very hard on this.

I would like to tell one story General White told me. In doing some of the exhibits, they have one exhibit where paratroopers are flying on a plane to jump out, and the architect of this one ride told General White, "I don't know how we are doing on this. A lot of the people who are testing it are getting motion sickness, almost to a point of losing their lunch."

And General White said, "Then you're almost there."

This museum is going to be a place where people can go in and feel the sense of battle that these young men and women feel.

And as you know, Fort Benning is the place where about 80 percent of our young men and women go that are going into harm's way in Iraq and Afghanistan and other places that we may send them, and it will give a great opportunity for them to go and see some of the legacy that has come before them and also give their families a chance to visit this great facility.

So it is with great honor that I introduce this bill, and I want to thank all of the cosponsors of this bill. It was amazing the number of people that I would go up to and ask to sign this legislation that said, you know, I spent 3 months of my life at Fort Benning going through my military boot camp; and so I hope that when this thing is open next year, that these Members that have gone through there and experienced that type of military life will

come down and join us in a grand opening.

Mr. Speaker, I ask all of my colleagues to please support this resolution.

Mr. GINGREY. Mr. Speaker, I rise today in strong support of H.R. 3229, and would like to commend my good friend from Georgia, Congressman LYNN WESTMORELAND, for offering it.

The bill before us today will allow coins to be issued in support of the National Infantry Museum and Soldier Center during the year 2012. The coins will be emblematic of the courage, pride, sacrifice, sense of duty, and history of the infantry, and the proceeds received from issuance of the coin will be used to establish an endowment to support the maintenance of the National Infantry Museum and Soldier Center.

Mr. Speaker, as a Member of the House Armed Services Committee who previously had Ft. Benning—the Home of the Infantry—in my district, I have long supported the efforts of the National Infantry Foundation to establish the new National Infantry Museum and wholeheartedly support the issuance of this coin in support of the museum.

The National Infantry Museum and Soldier Center at Patriot Park will honor the 233-year heritage of the Army's largest branch, the infantry. This museum will be instrumental in helping to educate future generations about the vital role of the infantry in the history of our Nation. Furthermore, this building will honor the men and women who serve in and support the infantry, and preserve the infantry's legacy of service.

This legacy of service is indeed quite remarkable, Mr. Speaker. The first successful and systematic training of the U.S. infantry can be tracked back to Valley Forge, Pennsylvania, in 1778. It was not until 1826 that a formal post for infantry training was established, and over the course of history, the Infantry School has existed at the Jefferson Barracks in Missouri, Ft. Leavenworth in Kansas, in Monterrey, California, at Ft. Sill in Oklahoma, and at Fort Benning—the “Home of the Infantry”—since 1918. Through the years the Infantry School at Ft. Benning has gradually emerged as the most influential infantry center in the modern world. The school has either trained in its officer courses or honed in its command structure some of the Nation's most prominent military figures, including five-star generals Omar Bradley, Dwight Eisenhower, and George Marshall, as well as George Patton and Colin Powell. And, Mr. Speaker, over the course of American history, nearly 80 percent of all servicemen and women who have died serving our Nation were part of the infantry.

This museum has one mission, Mr. Speaker: to honor the infantryman and his more than two centuries of proud service to our great Nation. This coin will support this mission.

I ask all of my colleagues to join me in support of this bill.

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, I submit the following correspondence:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 22, 2008.

Hon. BARNEY FRANK,
Chairman, Financial Services Committee, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN FRANK: I am writing regarding H.R. 3229, the “National Infantry

Museum and Soldier Center Commemorative Coin Act.”

As you know, the Committee on Ways and Means maintains jurisdiction over bills that raise revenue. H.R. 3229 contains a provision that establishes a surcharge for the sale of commemorative coins that are minted under the bill, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin bills and in order to expedite this bill for Floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of Conferees or its jurisdictional prerogatives on this bill or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 3229, and would ask that a copy of our exchange of letters on this matter be included in the record.

Sincerely,

CHARLES B. RANGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, May 21, 2008.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing in response to your letter regarding H.R. 3229, the “National Infantry Museum and Soldier Center Commemorative Coin Act,” which was introduced in the House and referred to the Committee on Financial Services on July 30, 2007. It is my understanding that this bill will be scheduled for Floor consideration shortly.

I wish to confirm our mutual understanding on this bill. As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your Committee's jurisdictional interest in such surcharges as revenue matters. However, I appreciate your willingness to forego Committee action on H.R. 3229 in order to allow the bill to come to the Floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance.

BARNEY FRANK,
Chairman.

Mrs. CAPITO. Mr. Speaker, I have no further speakers. I urge passage of the resolution, and I yield back the balance of my time.

Mr. LINCOLN DAVIS of Tennessee. Mr. Speaker, I encourage passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. LINCOLN DAVIS) that the House suspend the rules and pass the bill, H.R. 3229, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MOTHER'S DAY CENTENNIAL COMMEMORATIVE COIN ACT

Mrs. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2268) to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2268

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Mother's Day Centennial Commemorative Coin Act”.

SEC. 2. FINDINGS.

The Congress hereby finds as follows:

(1) Anna Jarvis, who is considered to be the founder of the modern Mother's Day, was born in Webster, West Virginia on May 1, 1864.

(2) A resident of Grafton, West Virginia, Anna Jarvis dedicated much of her adult life to honoring her mother, Anna Reeves Jarvis, who passed on May 9, 1905.

(3) In 1908, the Andrews Methodist Episcopal Church of Grafton, West Virginia, officially proclaimed the third anniversary of Anna Reeves Jarvis' death to be Mother's Day.

(4) In 1910, West Virginia Governor, William Glasscock, issued the first Mother's Day Proclamation encouraging all West Virginians to attend church and wear white carnations.

(5) On May 8, 1914, the Sixty-Third Congress approved H. J. Res. 263 designating the second Sunday in May to be observed as Mother's Day and encouraging all Americans to display the American flag at their homes as a public expression of the love and reverence for the mothers of our Nation.

(6) On May 9, 1914, President Woodrow Wilson issued a Presidential Proclamation directing government officials to display the American flag on all government buildings and inviting the American people to display the flag at their homes on the second Sunday of May as a public expression of the love and reverence for the mothers of our nation.

SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—The Secretary of the Treasury (hereinafter in this Act referred to as the “Secretary”) shall mint and issue not more than 400,000 \$1 coins each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—The design of the coins minted under this Act shall be emblematic of the 100th anniversary of President Wilson's proclamation designating the second Sunday in May as Mother's Day.

(b) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(1) a designation of the value of the coin;
 (2) an inscription of the year "2014"; and
 (3) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(c) **SELECTION.**—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Commission of Fine Arts; and

(2) reviewed by the Citizens Coinage Advisory Committee established under section 5135 of title 31, United States Code.

SEC. 5. ISSUANCE OF COINS.

(a) **QUALITY OF COINS.**—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) **COMMENCEMENT OF ISSUANCE.**—The Secretary may issue coins minted under this Act beginning January 1, 2014, except that the Secretary may initiate sales of such coins, without issuance, before such date.

(c) **TERMINATION OF MINTING AUTHORITY.**—No coins shall be minted under this Act after December 31, 2014.

SEC. 6. SALE OF COINS.

(a) **SALE PRICE.**—Notwithstanding any other provision of law, the coins issued under this Act shall be sold by the Secretary at a price equal to the sum of the face value of the coins, the surcharge required under section 7(a) for the coins, and the cost of designing and issuing such coins (including labor, materials, dies, use of machinery, overhead expenses, and marketing).

(b) **BULK SALES.**—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) **PREPAID ORDERS AT A DISCOUNT.**—

(1) **IN GENERAL.**—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) **DISCOUNT.**—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) **SURCHARGE REQUIRED.**—All sales shall include a surcharge of \$10 per coin.

(b) **DISTRIBUTION.**—Subject to section 5134(f) of title 31, United States Code, all surcharges which are received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary as follows:

(1) $\frac{1}{2}$ to the Susan G. Komen for the Cure for the purpose of furthering research funded by the organization.

(2) $\frac{1}{2}$ to the National Osteoporosis Foundation for the purpose of furthering research funded by the Foundation.

(c) **AUDITS.**—The Susan G. Komen for the Cure and the National Osteoporosis Foundation shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received by the respective organizations under subsection (b).

(d) **LIMITATION.**—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. MALONEY) and the gentlewoman from West Virginia (Mrs. CAPITO) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous materials therein.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2268, a bill introduced by the gentlewoman from West Virginia (Mrs. CAPITO) to create a commemorative coin honoring the 100th anniversary of Mother's Day. The 297 bipartisan cosponsors of this bill made clear that the Congress strongly supports recognizing the importance of Mother's Day in this way, and I am delighted to add my voice to this chorus.

Mother's Day was first proclaimed in 1908 by the Matthews Methodist Episcopal Church of Grafton, West Virginia, in honor of one mother, Anna Reeves Jarvis.

Congress designated the second Sunday in May to be observed as Mother's Day, and it was recognized as a national day to honor all mothers by President Woodrow Wilson on May 9, 1914.

The bill calls for a silver dollar to be minted in 2014 with a design commemorating President Wilson's proclamation. The \$10 surcharge proceeds from their sale is to go to the Susan G. Komen Foundation, a household word and organization in combating breast cancer, and to the National Osteoporosis Foundation for research purposes.

I urge my colleagues to support this bill honoring Mother's Day and our Nation's mothers, and I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I want to thank my colleague from New York (Mrs. MALONEY) for her support of this bill, and I am very excited it is before the House today.

There is a very special bond that exists between mothers and their children that words cannot describe. For the lucky ones among us, a mother—our, someone else's, or a mother figure such as a grandmother—has made all of the difference in our lives. The tender care, unending support, and the unconditional love of a mother truly are life's greatest blessing for a child.

Every year on the second Sunday in May this Nation honors its mothers. We seek to acknowledge their tireless support and their enduring love. My colleague has spoken about how this tradition began, but I would like to go over it because it is a proud history of tradition for our State of West Virginia.

In 1868, Anna Reeves Jarvis organized a committee in her home town of Graf-

ton, West Virginia, to sponsor a mother's friendship day. The purpose was to reunite families that had been divided during the Civil War. However, Anna Reeves Jarvis' dream of an annual memorial Mother's Day commemorating each mother for the service she renders to humanity had not gained widespread support during her lifetime.

However, her daughter, Anna M. Jarvis, took on her mother's cause. On May 9, 1907, the second anniversary of her mother's death, Anna invited friends to her home and outlined her plan to make her mother's dream of a nationwide day in honor of mothers a reality.

Within a year, working with Andrews Methodist Episcopal Church, progress was made and on Sunday, May 10, 1908, church services were held in which mothers were honored. They were held in Grafton, West Virginia, and in Philadelphia.

This initial celebration was only the beginning. Jarvis worked for years to popularize her idea. She wrote letters to churches and business leaders, to newspaper editors and to Members of Congress. She was even able to bring the drive for a Mother's Day observance to the attention of the President of the United States.

Her efforts were rewarded. In 1910, the governor of West Virginia, William Glasscock, issued a Mother's Day proclamation. By the next year, Mother's Day services were held in all States of the Union. In 1914, President Woodrow Wilson, responding to a joint resolution in Congress, issued a proclamation setting aside the second Sunday every May for "displaying the American flag as a public expression of our love and reverence for the mothers of our country."

Today, Mother's Day is celebrated throughout the world. In the United States, the President and governors issue proclamations recognizing mothers, churches perform services in honor of mothers everywhere, and the hearts of all are filled with all of our love for our mothers.

This bill would authorize the minting of silver \$1 coins in honor of the women who have sacrificed so much for their children. It is a small token of our love and admiration, but one that will hopefully express the love we hold for our mothers. Surcharges of the sale of the coins, as my colleague mentioned, will go to the Susan G. Komen Foundation and the National Osteoporosis Foundation for research.

I chose both of these foundations because I have great admiration for the work they do for men and women, but particularly for women as we battle the difficult tragedies of breast cancer and the growing difficulties associated with osteoporosis which over 80 percent of the people it strikes are women.

Mr. Speaker, I urge passage of this resolution, but I would like to take this opportunity to thank my mother. She has made a difference in my life. I appreciate her unconditional love and

support, her willingness to help me when I fell, and to push me forward when I could not find the strength myself.

I love you, Mom, and thanks.

With that, being from West Virginia, I would like to say, too, that our sense of community and family is very strong. We are so very proud of Anna Jarvis' vision, her idea and her dedication to celebrate her own mother, and we are proud to be known as the birthplace of Mother's Day.

Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

Mrs. MALONEY of New York. Mr. Speaker, I have no further requests for time, but would also like to recognize my own mother, as I am sure all of us in this body appreciate our mothers. This is an important resolution, and I am proud to be the Democratic sponsor with my good friend from West Virginia, and I urge a "yes" vote.

Mr. GINGREY. Mr. Speaker, I rise today in strong support of H.R. 2268, the Mother's Day Centennial Commemorative Coin Act. First, I would like to thank Representative CAPITO for authoring this legislation before us today.

H.R. 2268 would instruct the Secretary of the Treasury to mint and issue \$1 coins in recognition of the 100th anniversary of President Wilson's proclamation designating the second Sunday in May as Mother's Day.

As an original cosponsor of this bill, I would like to take this opportunity to thank mothers across this nation for what they have done, do, and will do to keep our families and our country, strong.

Mr. Speaker, I also want to take the personal privilege of recognizing my mother, Mrs. Helen Gingrey. Ninety years young, my mother instilled in me the very values and work ethic that prepared me to serve in these hallowed halls.

Her example testifies to the fact that we owe so very much to our mothers, to our fathers, to all those who cleared the way and smoothed the paths for us to succeed and realize our potential. We should honor their work not just in word but in deed—by ensuring a smoother, clearer path for the next generation—for our children and our grandchildren.

And so, I call upon my colleagues to demonstrate their appreciation for mothers everywhere by supporting this legislation.

Mrs. MALONEY of New York. Mr. Speaker, I submit the following correspondence:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 22, 2008.

Hon. BARNEY FRANK,
Chairman, Financial Services Committee,
Washington, DC.

DEAR CHAIRMAN FRANK: I am writing regarding H.R. 2268, the "Mother's Day Centennial Commemorative Coin Act."

As you know, the Committee on Ways and Means maintains jurisdiction over bills that raise revenue. H.R. 2268 contains a provision that establishes a surcharge for the sale of commemorative coins that are minted under the bill, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin bills and in order to expedite this bill for Floor consideration, the Committee will

forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of Conferees or its jurisdictional prerogatives on this bill or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2268, and would ask that a copy of our exchange of letters on this matter be included in the record.

Sincerely,

CHARLES B. RANGEL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, May 21, 2008.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing in response to your letter regarding H.R. 2268, the "Mother's Day Centennial Commemorative Coin Act," which was introduced in the House and referred to the Committee on Financial Services on May 10, 2007. It is my understanding that this bill will be scheduled for Floor consideration shortly.

I wish to confirm our mutual understanding on this bill. As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your Committee's jurisdictional interest in such surcharges as revenue matters. However, I appreciate your willingness to forego committee action on H.R. 2268 in order to allow the bill to come to the Floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance.

BARNEY FRANK,
Chairman.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. MALONEY) that the House suspend the rules and pass the bill, H.R. 2268, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1700

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 1063, by the yeas and nays;

H. Con. Res. 318, by the yeas and nays;

H. Con. Res. 336, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining votes in this series will be conducted as 5-minute votes.

MARKING THE 225TH ANNIVERSARY OF THE TREATY OF PARIS OF 1783

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1063, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the resolution, H. Res. 1063.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 19, as follows:

[Roll No. 394]

YEAS—414

Abercrombie	Carson	Farr
Ackerman	Carter	Fattah
Aderholt	Castle	Feeney
Akin	Castor	Filner
Alexander	Cazayoux	Flake
Allen	Chabot	Forbes
Altmire	Chandler	Fortenberry
Andrews	Childers	Fossella
Arcuri	Clarke	Foster
Baca	Clay	Foxx
Bachmann	Cleaver	Frank (MA)
Bachus	Clyburn	Franks (AZ)
Baird	Coble	Frelinghuysen
Baldwin	Cohen	Gallely
Barrett (SC)	Cole (OK)	Garrett (NJ)
Barrow	Conaway	Gerlach
Bartlett (MD)	Conyers	Giffords
Barton (TX)	Cooper	Gilchrest
Bean	Costa	Gingrey
Becerra	Costello	Gohmert
Berkley	Courtney	Gonzalez
Berman	Cramer	Goode
Berry	Crenshaw	Goodlatte
Biggert	Crowley	Gordon
Bilbray	Cubin	Granger
Bilirakis	Cuellar	Graves
Bishop (GA)	Culberson	Green, Al
Bishop (NY)	Cummings	Green, Gene
Bishop (UT)	Davis (AL)	Grijalva
Blackburn	Davis (CA)	Gutierrez
Blumenauer	Davis (IL)	Hall (NY)
Blunt	Davis (KY)	Hall (TX)
Boehner	Davis, David	Hare
Bonner	Davis, Lincoln	Harman
Bono Mack	Davis, Tom	Hastings (FL)
Boozman	Deal (GA)	Hastings (WA)
Boren	DeFazio	Hayes
Boswell	DeGette	Heller
Boucher	Delahunt	Hensarling
Boustany	DeLauro	Herger
Boyd (FL)	Dent	Herseth Sandlin
Boyda (KS)	Diaz-Balart, L.	Higgins
Brady (PA)	Diaz-Balart, M.	Hill
Brady (TX)	Dicks	Hinojosa
Broun (GA)	Dingell	Hirono
Brown (SC)	Doggett	Hobson
Brown, Corrine	Donnelly	Hodes
Brown-Waite,	Doolittle	Hoekstra
Ginny	Doyle	Holden
Buchanan	Drake	Honda
Burton (IN)	Dreier	Hooley
Butterfield	Duncan	Hoyer
Buyer	Edwards	Hunter
Calvert	Ehlers	Inglis (SC)
Camp (MI)	Ellison	Inslee
Campbell (CA)	Ellsworth	Israel
Cannon	Emanuel	Issa
Cantor	Emerson	Jackson (IL)
Capito	Engel	Jackson-Lee
Capps	English (PA)	(TX)
Capuano	Eshoo	Jefferson
Cardoza	Etheridge	Johnson (GA)
Carnahan	Everett	Johnson (IL)
Carney	Fallin	Johnson, E. B.

Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)

NOT VOTING—19

Braley (IA)
Burgess
Ferguson
Gillibrand
Hinchey
Holt
Hulshof

□ 1724

Messrs. GOHMERT and DELAHUNT changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF THE INTERNATIONAL YEAR OF SANITATION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 318, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PAYNE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 318, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, answered “present” 1, not voting 21, as follows:

[Roll No. 395]

YEAS—411

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggett
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor

Cazayoux
Chabot
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Duncan
Edwards
Ehlers
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Filner
Flake
Forbes
Fortenberry
Fossella
Foxy
Frank (MA)

King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
McNerney
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)

Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Oliver
Pallone
Pascarelli
Pastor
Paul
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (WI)
Salazar
Sali
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz

ANSWERED “PRESENT”—1

Culberson

NOT VOTING—21

Baca
Braley (IA)
Butterfield
Donnelly
Ellison
Ferguson
Foster

Gillibrand
Holt
Hulshof
McCrery
Meek (FL)
Ortiz
Payne

Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

□ 1731

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE SACRIFICES AND CONTRIBUTIONS MADE BY DISABLED AMERICAN VETERANS

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 336, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. CORRINE BROWN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 336.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 16, as follows:

[Roll No. 396]
YEAS—417

Abercrombie	Chabot	Franks (AZ)
Ackerman	Chandler	Frelinghuysen
Aderholt	Childers	Gallegly
Akin	Clarke	Garrett (NJ)
Alexander	Clay	Gerlach
Allen	Cleaver	Giffords
Altmire	Clyburn	Gilchrest
Andrews	Coble	Gingrey
Arcuri	Cohen	Gohmert
Baca	Cole (OK)	Gonzalez
Bachmann	Conaway	Goode
Bachus	Conyers	Goodlatte
Baldwin	Costa	Gordon
Barrett (SC)	Costello	Granger
Barrow	Courtney	Graves
Bartlett (MD)	Cramer	Green, Al
Barton (TX)	Crenshaw	Green, Gene
Bean	Crowley	Grijalva
Becerra	Cubin	Gutierrez
Berkley	Cuellar	Hall (NY)
Berman	Culberson	Hall (TX)
Berry	Cummings	Hare
Biggert	Davis (AL)	Harman
Bilbray	Davis (CA)	Hastings (FL)
Bilirakis	Davis (IL)	Hastings (WA)
Bishop (GA)	Davis (KY)	Hayes
Bishop (NY)	Davis, David	Heller
Bishop (UT)	Davis, Lincoln	Hensarling
Blackburn	Davis, Tom	Herger
Blumenauer	Deal (GA)	Herseth Sandlin
Blunt	DeFazio	Higgins
Boehner	DeGette	Hill
Bonner	Delahunt	Hinchee
Bono Mack	DeLauro	Hinojosa
Boozman	Dent	Hirono
Boren	Diaz-Balart, L.	Hobson
Boswell	Diaz-Balart, M.	Hodes
Boucher	Dicks	Hoekstra
Boustany	Dingell	Holden
Boyd (FL)	Doggett	Honda
Boyd (KS)	Donnelly	Hooley
Brady (PA)	Doolittle	Hoyer
Brady (TX)	Doyle	Hunter
Broun (GA)	Drake	Inglis (SC)
Brown (SC)	Dreier	Inslee
Brown, Corrine	Duncan	Israel
Brown-Waite,	Edwards	Issa
Ginny	Ehlers	Jackson (IL)
Buchanan	Ellison	Jackson-Lee
Burgess	Ellsworth	(TX)
Burton (IN)	Emanuel	Jefferson
Butterfield	Emerson	Johnson (GA)
Buyer	Engel	Johnson (IL)
Calvert	English (PA)	Johnson, E. B.
Camp (MI)	Eshoo	Johnson, Sam
Campbell (CA)	Etheridge	Jones (NC)
Cannon	Everett	Jones (OH)
Cantor	Fallin	Jordan
Capito	Farr	Kagen
Capps	Fattah	Kanjorski
Capuano	Feeney	Kaptur
Cardoza	Filner	Keller
Carnahan	Flake	Kennedy
Carney	Forbes	Kildee
Carson	Fortenberry	Kilpatrick
Carter	Fossella	Kind
Castle	Foster	King (IA)
Castor	Foxo	King (NY)
Cazayoux	Frank (MA)	Kingston

Kirk	Murtha	Sestak
Klein (FL)	Musgrave	Shadegg
Kline (MN)	Myrick	Shays
Knollenberg	Nadler	Shea-Porter
Kucinich	Napolitano	Sherman
Kuhl (NY)	Neal (MA)	Shimkus
LaHood	Neugebauer	Shuler
Lamborn	Nunes	Shuster
Lampson	Oberstar	Simpson
Langevin	Obey	Sires
Larsen (WA)	Olver	Skelton
Larson (CT)	Pallone	Slaughter
Latham	Pascrell	Smith (NE)
LaTourette	Pastor	Smith (NJ)
Latta	Paul	Smith (TX)
Lee	Pearce	Smith (WA)
Levin	Perlmuter	Snyder
Lewis (CA)	Peterson (MN)	Solis
Lewis (GA)	Peterson (PA)	Souder
Lewis (KY)	Petri	Space
Linder	Pickering	Speier
Lipinski	Pitts	Spratt
LoBiondo	Platts	Stark
Loeback	Poe	Stearns
Lofgren, Zoe	Pomeroy	Stupak
Lowey	Porter	Sullivan
Lucas	Price (GA)	Sutton
Lungren, Daniel	Price (NC)	Tanner
E.	Pryce (OH)	Tauscher
Lynch	Putnam	Taylor
Mack	Radanovich	Terry
Mahoney (FL)	Rahall	Thompson (CA)
Maloney (NY)	Ramstad	Thompson (MS)
Manzullo	Rangel	Thornberry
Marchant	Regula	Tiahrt
Markley	Rehberg	Tiberi
Marshall	Reichert	Tierney
Matheson	Renzi	Towns
Matsui	Reyes	Tsongas
McCarthy (CA)	Reynolds	Turner
McCarthy (NY)	Richardson	Udall (CO)
McCaul (TX)	Rodriguez	Udall (NM)
McCollum (MN)	Rogers (AL)	Upton
McCotter	Rogers (KY)	Van Hollen
McDermott	Rogers (MI)	Velázquez
McGovern	Rohrabacher	Visclosky
McHenry	Ros-Lehtinen	Walberg
McHugh	Roskam	Walden (OR)
McIntyre	Rothman	Walsh (NY)
McKeon	Roybal-Allard	Walz (MN)
McMorris	Royce	Wasserman
Rodgers	Ruppersberger	Schultz
McNerney	Ryan (OH)	Waters
McNulty	Ryan (WI)	Watson
Meeks (NY)	Salazar	Watt
Melancon	Sali	Waxman
Mica	Sánchez, Linda	Weiner
Michaud	T.	Welch (VT)
Miller (FL)	Sánchez, Loretta	Weldon (FL)
Miller (MI)	Sarbanes	Weller
Miller (NC)	Saxton	Westmoreland
Miller, Gary	Scalise	Wexler
Miller, George	Schakowsky	Whitfield (KY)
Mitchell	Schiff	Wilson (NM)
Mollohan	Schmidt	Wilson (OH)
Moore (KS)	Schwartz	Wittman (VA)
Moore (WI)	Scott (GA)	Wolf
Moran (KS)	Scott (VA)	Woolsey
Moran (VA)	Sensenbrenner	Wu
Murphy (CT)	Serrano	Yarmuth
Murphy, Patrick	Sessions	Young (AK)
Murphy, Tim		Young (FL)

NOT VOTING—16

Baird	Hulshof	Rush
Braley (IA)	McCrery	Tancredo
Cooper	Meek (FL)	Wamp
Ferguson	Ortiz	Wilson (SC)
Gillibrand	Payne	
Holt	Pence	

□ 1739

So (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, U.S. HOUSE OF REPRESENTATIVES,

Washington, DC, June 5, 2008.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC

DEAR MADAM SPEAKER: Pursuant to §20702(b) of H.J. Res. 20, P.L. 110-5, I am notifying the House that I am designating Ali Qureshi, Deputy Chief Administrative Officer for Operations and Walter Edwards, Deputy CAO for Customer Solutions to act in my stead in the event of my death, resignation, separation from office or disability until a Chief Administrative Officer is appointed pursuant to 2 U.S.C. §75a-1.

Sincerely,

DANIEL P. BEARD.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6063, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2008

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110-707) on the resolution (H. Res. 1257) providing for consideration of the bill (H.R. 6063) to authorize the programs of the National Aeronautics and Space Administration, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1745

ENERGY PRICES

(Mr. SCALISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCALISE. Madam Speaker, this weekend, the national average of a gallon of gasoline broke the \$4 mark. This is an all-time high, and our citizens deserve action from Congress.

The Democratic leadership needs to pull their heads out of the sand and join us in developing a strong national energy policy. The Republican plan proposed will develop and increase our domestic supply of oil, which will drive down the cost of gasoline at the pump. In Louisiana, we take great pride in our offshore drilling, and we drill in an environmentally safe way. Everyone in Louisiana knows that the best place to fish is right next to an oil rig in the Gulf.

I call on Speaker PELOSI and the Democrats in Congress to stop locking relief at the pump and finally join us in passing legislation that will remove the obstacles that limit our refining capacity, explore alternative sources of energy, and increase the supply of domestic oil and gas to reduce our dependence on foreign oil.

These are all policies which will lower gas prices. This energy crisis is real. The time for Congress to act is now.

WE'VE GOT TO WAKE UP AND DRILL

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Madam Speaker, I was privileged enough to go with a number of Congressmen two weeks ago to the Middle East and went to Saudi Arabia. We had some great meetings over there. We met with the Minister of Petroleum and many of the other people who are directly involved with the oil situation, and here is their response to us as we complained to them about the high price of gasoline. Now, keep in mind America imports 60 percent of its oil. This is what these guys said to us: "You have the nerve and the audacity to come here, all the way to Saudi Arabia, to complain about your oil prices when you won't even drill yourself, when you won't even build refineries."

President Bush was there a month earlier, and they increased the capacity to 300 million barrels a day. And we can't even buy it because we don't have the refineries. We've got to get our head out of the sand.

China right now, with Cuba, is drilling 45 miles off the coast of Florida. We've got to wake up and drill and use our own resources.

HONORING THE PEOPLE OF HUGO, MINNESOTA

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BACHMANN. Madam Speaker, I rise today to honor the people of Hugo, Minnesota.

It was just several weeks ago that the people of Hugo encountered a terrible tragedy; it occurred at 5 o'clock on a quiet Sunday afternoon. A tornado touched down in Hugo, and within 30 seconds over 50 to 60 homes were completely flattened, between 150 and 200 homes were uninhabitable. But the wonderful spirit, Madam Speaker, among the people of Hugo, the fire department, the police department, the State Patrol, almost instantaneously had a wonderful textbook outpouring of rebuilding.

Within one week, the community of Hugo had so many volunteers they had to turn them away. They completely removed all the debris from the city within one week, and now they're on the road to rebuilding.

I congratulate Mayor Fran Miron. I congratulate City Administrator Mike Ericsson. And I congratulate all the people of Hugo who have exuded the spirit of Minnesota, the loving experience of loving a neighbor. And that's what people in Hugo do best, they love each other.

So congratulations to the people of Hugo. You will rebuild. You will be back. And I'm so honored to represent you here in this great House.

THE DRILL-NOTHING CONGRESS

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Madam Speaker, I rise today to speak about the drill-nothing Congress. I wish I had thought of that phrase, but it's the headline in Investor's Business Daily, Monday, June 9.

The average price for regular gas at \$4 a gallon over the weekend. Gas prices have risen 75 percent since NANCY PELOSI took over. Where is the energy independence Democrats promised 2 years ago? That's the subheadline.

Now I am going to quote from the article. In November, 2006, House Speaker-Elect NANCY PELOSI issued a press release touting the Democrats "common-sense plan to help bring down skyrocketing gas prices." She accused the oil companies of price gouging. The price of gasoline, when the Democrats took control of Congress, was around \$2.25 per gallon. The average price of regular gas crept over the \$4 per gallon barrier over the weekend, as measured by AAA and the Oil Price Information Service.

This represents a more than 75 percent increase in the retail price of a gallon of gasoline on Pelosi's watch. Call it the Pelosi premium we are all now paying.

Madam Speaker, I submit for the RECORD the rest of the June 9, 2008, article of Investor's Business Daily.

A Gallup poll released in May showed that 57% of the American people wanted the U.S. to drill in coastal and wilderness areas. The percentage of Americans who bought Pelosi's line about price gouging fell from 34% in May 2007 to 20% in May 2008. It could be a winning issue for the Republicans and John McCain.

More than 15 billion barrels of oil have been sent down the Alaskan pipeline from Prudhoe Bay, some 60 miles to the west of ANWR, over the past three decades, much more than the six months' supply expected in the beginning by those who predicted a similar environmental disaster there.

The local caribou and other critters have thrived. Yet, Pelosi and the Democrats want to keep ANWR's estimated 10.6 billion barrels of oil off the market and out of our gas tanks.

Buried in a Department of Interior Appropriations bill passed in December 2007 was an amendment proposed by Rep. Mark Udall, D-Colo., passed by a 219-215 vote in June, that prevented the establishment of regulations for leasing lands to drill for oil shale.

The Western U.S. is estimated to have reserves of a trillion barrels (yes, that's the real number) trapped in porous shale rock, an amount three times the oil reserves of Saudi Arabia. On May 15, 2008, the Senate Appropriations Committee in a 15-14 party line vote rejected an amendment by Sen. Wayne Allard, R-Colo., to allow oil shale drilling and overturn the Udall moratorium.

The U.S. Congress has voted consistently to keep 85% of America's offshore oil and gas off-limits, while China and Cuba drill 60 miles from Key West, Fla. The U.S. Minerals Management Service says that the restricted areas contain 86 billion barrels of oil and 420 trillion cubic feet of natural gas.

There are 3,200 oil rigs off the coast of Louisiana. During Katrina, not a single drop was

spilled. More than 7 billion barrels have been pumped from these wells over the past quarter-century, yet only one thousandth of one percent has been spilled.

A study by Louisiana's Sea Grant college shows that there's 50 times more marine life around oil platforms that act as artificial reefs than in the surrounding mud bottoms. Some 85% of Louisiana fishing trips involve fishing around these offshore rigs.

The Flower Garden coral reefs lie off the Louisiana-Texas border. They are surrounded by oil platforms that have been pumping for 50 years.

According to federal biologist G.P. Schmahl, "The Flower Gardens are much healthier, more pristine than anything in the Florida Keys. It was a surprise to me. And I think it's a surprise to most people."

We would suggest that John McCain revisit his reservations about ANWR and run against the drill-nothing Congress. Energy development and the environment are not mutually exclusive.

In fact, we would suggest that the first joint town hall meeting with Barack Obama proposed by McCain be held on one of those offshore Louisiana rigs.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. BERKLEY). The Chair will recognize Members for Special Order speeches without prejudice to the resumption of legislative business.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RETURN SOVEREIGNTY TO IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, I have believed for a long time now that the best way to bring peace to Iraq is to launch a diplomatic surge to encourage regional and international partners to get involved in addressing Iraq's problems.

The first step in this process would be to withdraw all of our troops and military contracts, which would create a positive climate, a climate that would allow diplomatic efforts to actually begin. But today, the administration is taking our country in quite the opposite direction. It is negotiating long-term security arrangements with the Iraqi Government, arrangements that could actually keep us bogged down in Iraq for decades and destroy Iraq's sovereignty.

It is hard to know exactly what the administration is demanding in the negotiations because it has refused to share the information with Congress. Reports, however, and whatever we can find out, indicates that the administration is asking for unilateral authority over all U.S. military operations in Iraq, the right to arrest and detain Iraqi citizens, legal immunity for American military contractors, control over Iraqi borders and air space, and perhaps permanent bases, making Iraq a virtual American colony.

All this has brought a wave of protest from Iraqis of all political and religious stripes. It seems that we have finally succeeded in uniting the Iraqis against us. An Iraqi Government spokesman actually has said, "The Iraqi Government's vision differs from that of the Americans, who think the agreements will give them almost totally a free hand in Iraq, and that, as a military force, they must have absolute powers."

In addition, members of the Iraqi Parliament representing the majority of parties in that body wrote a letter to the Congress which was released just last week by my colleague on the Foreign Relations Committee, Representative DELAHUNT, the chairman on the Subcommittee on International Organizations, Human Rights and Oversight. This letter includes a demand for the withdrawal of American troops. It said, in part, that "the majority of Iraqi representatives strongly reject any military security, economic, commercial, agricultural investment or political agreement with the United States that is not linked to clear mechanisms that obligate the occupying American military forces to fully withdraw from Iraq in accordance with the declared timetable, and without leaving any military bases, soldiers, or hired fighters."

Madam Speaker, by moving for a permanent military presence in Iraq, the administration is sending the wrong message to the Iraqi people. The American people are also getting that message, along with the rest of the world. It says to the Iraqi people that they will continue to live under foreign military occupation with no end in sight. It tells the American people that the occupation will continue to drain our resources at a time when our citizens are facing dire economic problems at home. And it proves to the world that the administration is determined to tie the next President to the failed policies of the past.

The best course for America is to begin the immediate, responsible redeployment of our troops and military contractors out of Iraq, as this House has mandated. But since the administration is clearly unwilling to do that, the next best thing is for Congress to demand full knowledge of the negotiations, with the right to approve any agreements.

Madam Speaker, the United States must give full national sovereignty

back to Iraq, and we must stop acting like an arrogant occupying power. After more than 5 years of bloody occupation, this is no time to talk about staying in Iraq forever. Instead, it is time to give the Iraq people back their independence. And it is time to bring our brave troops home.

□ 1800

MAGINOT LINE OF INDIFFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, the United States has gone to war numerous times to protect the sovereignty of nations. Sixty-four years ago on June 6, thousands of GIs went ashore in France because its borders were invaded by the Nazis. In fact, most of the European countries and north Africa had their sovereign borders overrun by the Nazis.

In the Pacific, the United States fought the Japanese because they had invaded the borders of our territories and the borders of China and Indochina. Americans died. Over 400,000 died protecting all of those borders during World War II.

After World War II, the United States defended the borders of Western Europe nations against that "evil empire" of the Soviet Union and Soviet Communism. In fact, we still have troops in Western Europe. Sixty years later, we still defend those borders. And that is a long time. Then there was the Korean War. In its aftermath with 50,000 Americans killed, we fulfilled our commitment to defend South Korea, and we still have 30,000 troops on that border with North Korea, 50 years plus defending someone else's border. We defend the borders of Iraq and part of the Balkans even to this day.

But Madam Speaker, I wonder why we don't have the same commitment to America's borders? Doesn't that bother anyone? Having been to the southern border of the United States numerous times and seeing the "Maginot Line of Indifference," I am puzzled why we seem to ignore the thousands of trespassers, or invaders, if I can use that term, that come from all nations and cross our border without permission.

When Mexico invaded the United States at Brownsville, Texas, in 1846, we went to war to defend the southern border. When the outlaw, now folk hero, General Pancho Villa and his bandits came into the United States from Mexico to commit crimes in New Mexico, the United States sent General Blackjack Pershing to go after him, even if it meant going to Mexico.

That was during a time when our sovereignty was important to the Nation and to the Federal Government. But the invasion now is much worse. Some estimates put the number of illegals in the United States between 15 and 35 million people. Why don't we have the same moral resolve we had in World

War II and Korea to defend our borders from this stealth invasion? It is the duty of government to protect the citizens of this Nation and the States.

I will read from the Constitution, something we probably ought to do more of in this Congress. Article IV section 4 of the United States Constitution says, "The United States shall guarantee to every State in this union a Republican Form of Government and shall protect each of them against invasion." Invasion means intrusion or encroachment. Why doesn't the Government just simply follow the Constitution and prevent invasion into the United States?

Now some Chamberlain appeasers want to just tell the illegals they can stay. After all, we can use the cheap plantation labor, the appeasers say. Never mind the crimes some of them commit, never mind how they take some social services without paying for them, never mind how some live off Americans and lawful immigrants. Never mind it is illegal to be in the United States without permission.

So why, Madam Speaker, do we defend the borders of other nations but not our own? The Feds say they are trying. But the proof, or the lack of it, is in the results. The border with Mexico is violent. The border is porous, and the border is being invaded. The most powerful nation in the history of the world can stop the secret invasion if it first had the moral resolve to do so, and second, the courage to do whatever is necessary to stop the onslaught of invaders.

Maybe we should even use the National Guard or returning troops from Iraq on our southern border. But doing so would take leadership that is committed in word and deed to protecting the sovereignty of this Nation.

The United States is worth it, Madam Speaker, even if the amnesty crowd and Mexican President Calderon doesn't like it.

And that's just the way it is.

CELEBRATING THE 75TH ANNIVERSARY OF THE ROBERT J. DOLE VA MEDICAL CENTER IN WICHITA, KANSAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Madam Speaker, I rise this evening to congratulate and to pay tribute to the Robert J. Dole Department of Veterans Affairs Medical Center in my home State in Wichita, Kansas, for 75 years providing outstanding services and care to our Nation's heroes, our veterans.

Caring for those who have borne the battle is our Nation's utmost responsibility. And for 75 years, the Dole VA Hospital has helped our Nation honor this commitment. Let us take time today to pay tribute to the work of the Dole VA leadership staff and volunteers and the Kansas veterans they

serve each day. Veterans are the people I hold in highest regard only to be exceeded by those individuals who serve those veterans.

Under the skillful leadership of the VA Network 15 Director Dr. Peter Almenoff and hospital director Tom Sanders, the Dole VA Hospital has worked to fulfill its mission: "To improve the health and wellbeing of veterans we are honored to serve." In fact, the Dole VA has received national acclaim in its service to veterans. On a recent rating of VA hospitals for quality of veterans' care, the Dole VA hospital ranked third in the Nation. Our country is fortunate to have these individuals who made the commitment to serve these veterans. What we do in Washington, D.C., pales in comparison to what these individuals do each and every day for our veterans.

On November 16, 1933, the first patient, a veteran of the Spanish-American War, was admitted to the hospital. At that time, there were 150 beds. By the end of 1933, all beds had been filled. In 2008 over 2,000 admissions were recorded at the hospital. The Center now provides a full range of primary, acute and extended care services to veterans from 59 counties in Kansas. Many of these counties make up the First Congressional District that I represent. And despite covering more than 57,000 square miles, the First District is without a VA hospital of its own. Veterans in central and western Kansas rely on the care and services provided by the Dole VA. We are blessed to have such an outstanding facility in Kansas available to those who have given so much on our behalf.

Last month, I had the opportunity to participate in the 75th anniversary jubilee in Wichita attended by the hospital's namesake, former United States Senator Bob Dole, a member of the country's greatest generation and an unending advocate for veterans. Also attending the celebration was the Veterans Department Secretary James Peake, Kansas Senators PAT ROBERTS and SAM BROWNBACK, Kansas Congressman TODD TIAHRT, and Wichita Mayor Carl Brewer.

We listened to Dole speak of his own military service and recovery from wounds he received in World War II in a VA hospital, as well as his leadership in building the World War II Memorial, as co-chair of the President's Commission on Care for America's Returning Wounded Warriors. With his legacy of service and sacrifice to our country and its veterans, Senator DOLE is an appropriate namesake and inspiration for the hard work and dedication of the leadership, staff and volunteers at the Dole VA.

Again, I wish to congratulate the Dole VA Medical Center for 75 years of care to our country's veterans. On behalf of veterans in Kansas, I thank them for their service.

A RED HERRING

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, the New York Times CBS spring poll has reported that 68 percent of Americans favor putting restrictions on what is called free trade to protect our domestic industries. That is the highest level of concern since the poll began asking the question in the 1980s, and a 12 percent rise just since 2000.

Only 14 percent of Americans surveyed last year by the Pew Global Attitudes Project said increase in trade was very good for our country. And the American people, by a healthy majority, view NAFTA and NAFTA-like trade agreements as flawed and costing our people more job washout every day. In other words, a majority of people in our country not only believe something is wrong with current U.S. trade policy, enough of them have now been hurt directly by unfair trade that they now know personally what a bad trade deal can yield. When you are almost \$1 trillion in trade deficit, something is fundamentally wrong.

So what does one of America's premier newspapers place on its editorial page this week in response? Do they look inside the gaping job loss and trade deficits our Nation is experiencing and attempt to reshape the policy to again produce a better yield in jobs for our people and Nation? No. They put their head in the sand. And they do so in the form of an editorial that is nothing more than a red herring. Actually, this looks like a herring to me. A red herring. You've heard that old expression which means someone distracts attention from the real issue. They state a half-truth and then wage a fierce argument against that falsehood as if the falsehood were true. It is an old trick.

The New York Times article written by Eduardo Porter, is a complete red herring. He said that people who worry about job loss in America related to trade want to stop trade. He said that those people are isolationists. Nothing could be more untrue.

I say to Mr. Porter the vast majority of the American people want to fix what is wrong with these trade deals. And there is plenty wrong. If he fails to grasp that, he might, as the old expression goes, "fail to see the wall in front of his face and run right into it." Mr. Porter alleges that the majority of Americans who favor putting restrictions on free trade to protect domestic industries will push the new President to be undiplomatic and unreasonable when it comes to what Porter calls economic protectionism.

Mr. Porter, reciprocity is not protectionism. With nearly \$1 trillion net trade deficit sucking more and more jobs out of this country, he should be championing balancing our trade agreement and creating jobs here in America again. But he opines that

other countries, like Canada, Sweden and Germany, in which fewer people favor such measures, are scared that a new trade model would bring about what he calls a trade war. Yeah, you scare them, right? Try to scare the American people.

What Mr. Porter does not understand is that America's hostility is not to international trade, but to trade agreements and deficits that cause job outsourcing, job losses and cuts to middle-class benefits and health coverage. Americans support trade that wins for them and that brings prosperity to America again. They want trade that builds a middle class here at home and abroad. They are tired of being jerked around by the multinational companies that trade them for \$1 an hour worker in China who has no hope of a better life. They want that worker to get a fair deal too. They support trade that creates jobs, America used to do that before we fell into deficit, and exports American products again to customers around the world. They broadly oppose the failed NAFTA model that has sucked jobs and money away from America to corrupt and closed markets that keep their boot on the necks of workers around the world who have no rights. Porter claims trade hawks want to disengage from the world. Wrong again. Nothing could be further from the truth. Americans want to engage. They want reciprocal trade, balanced trade and free trade that builds a middle class, not shatters it.

That is why a number of us introduced a bill he mentions offhand, the trade act, H.R. 6180 which currently has over 50 sponsors and sets guidelines for responsible trade that encourages free trade among free people. Porter says that Europe and Germany don't share our point of view and we should be more like them. I will agree with him on one account. We should be more like them because they have trade balances, not trade deficits. They are sitting pretty compared to ours. We have a \$711.6 trade deficit in 2007, and they, in fact, have surpluses. So Mr. Porter ought to be fighting for a strong America. And that means free trade among free people.

Indeed, the latest monthly trade figures from April show our nation has just gone further in the hole at \$60.9 billion deficit. More red ink = more lost jobs and more workers falling out of the middle class. Yet Canada and Sweden both managed surpluses of about \$30 billion in U.S. dollars. Their trade numbers are moving in the right direction. Germany commanded a trade surplus of more than \$185 billion. I ask Mr. Porter, why shouldn't America move its accounts to balance and surplus? Why does he favor more job washout? More loss of income for our people? More red ink? Furthermore, workers in those countries need not worry about losing their healthcare since the government provides assistance. Those countries trade in order to make money, but our trade policies have resulted in a hemorrhage of our resources.

The New York Times and Mr. Porter ought to be fighting for a strong America—and that

means a strong economy evidenced by balanced trade accounts, not deficits. A strong America means keeping and creating good jobs, with living wages and benefits like healthcare. And a strong America means trade relationships that bring strength to our economy and our trading partners', not a race to the bottom or human rights violations.

America ought to be fighting for opening the closed markets of the world, like Japan's and China's, not putting our heads in the sand while our competitors levy non-tariff barriers against America's goods and services. If we are not trading with a free country with a free market and free people, we are not trading freely at all. We are paying these countries to continue unfair economic and political practices at the cost of our own prosperity and standard of living.

We ought to be fighting for America's middle class, not outsourcing their jobs to China, India, and Mexico. We should not oppose free trade; we should support free trade among free people.

[From the New York Times, June 7, 2008]

EUROPE FEARS A POST-BUSH UNILATERALISM,
THIS TIME ON TRADE
(By Eduardo Porter)

The Democrats' vocal hostility to trade is starting to scare many of America's best friends. As Barack Obama and Hillary Clinton have bashed China and a variety of free trade agreements, allies who have been yearning for an end to President Bush's in-your-face unilateralism are worried that a Democratic president may be just as undiplomatic, and unreasonable, when it comes to economic protectionism.

"It is very irresponsible, in my view, to pretend to people that we can disengage from international trade," Peter Mandelstam, the European trade commissioner, warned in a May interview with the BBC.

It would be a mistake to brush all this off as mere campaign posturing. The United States remains as open to trade as its European allies, and in some areas it has even fewer restrictions. But the question is, for how long?

Despite economists' assurances about trade's many benefits, American workers increasingly view globalization as a losing battle against China's cheap labor and a very personal threat to their wages and jobs. According to a poll this spring by The New York Times and CBS News, 68 percent of Americans favor putting restrictions on free trade to protect domestic industries. That is the highest share since they began asking the question in the 1980s, and 12 percentage points more than in 2000.

Workers in other rich nations feel less threatened. Only 14 percent of Americans surveyed last year by the Pew Global Attitudes Project said increasing trade was "very good" for the country. That's less than half the share in Canada, Germany or Sweden. Even among the French, who tend to see capitalism as gauche and occasionally drive tractors into their local McDonalds, 22 percent said more trade was very good.

The issue isn't the amount of trade. European countries actually trade much more than the United States. But their citizens appear to be more comfortable with the idea because their governments provide a stronger safety net to catch workers undercut by foreign competition and redistribute the gains from trade more equitably.

In the United States, public spending on social programs, from unemployment insurance to health care, amounts to about 17 percent of the overall economy. This is about half the level in Germany and less than al-

most every other rich nation. America's meager social safety net and its winner-take-all distribution of riches means workers have less to gain from trade's benefits and more to lose from any disruption.

Most economists agree that trade plays a small role in the deteriorating fortunes of less educated American workers. But as their wages have sagged, their pensions have shrunk and their health insurance has disappeared, trade has become the scapegoat. Politicians, especially but not solely from the Democratic Party, have been eager to capitalize on those anxieties.

Just this week, Democrats in the House and Senate proposed a bill that would require the president to submit plans to renegotiate all current trade agreements—before Congress considered any pending agreements and before the president negotiated any new ones. In April, House Speaker Nancy Pelosi decided to change the rules guiding approval of free trade agreements to stall the approval of one with Colombia.

The United States has an enormous stake in maintaining an open global economy. Trade means export markets for American products, as well as cheap imports for American companies and consumers. Foreign competition helps spur productivity, which has driven the spectacular increase in American living standards since World War II.

Before this country stumbles into a trade war, all political leaders would benefit from a careful examination of how other wealthy democracies have found ways to cushion economic blows on the most vulnerable and make trade more palatable to their workers.

More generous social policies are a far better choice than protectionism.

THE PRICE OF GASOLINE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Madam Speaker, if you went out to a gas station this morning or tomorrow morning and you asked anybody pumping gasoline what the number one issue is, they would tell you without a doubt it is the price of gasoline because it is having an impact on their food and on every other commodity that they deal with.

The American people want gasoline prices and energy prices to come down. And the thing that really amazes me about my colleagues on the other side of the aisle, Madam Speaker, is they won't listen to the American people. Eighty percent of the American people, according to recent polls say that if we have the resources here in America, we should drill for them right here. Obviously, everybody is concerned about the environment, but we can drill for oil in the ANWR and off the continental shelf and use coal shale to create a tremendous amount of gasoline and energy in this country without even relying on the foreign sources. The problem is that my colleagues on the other side of the aisle will not listen to the American people.

Now I was watching Sean Hannity on Hannity and Colmes the other night, and Mr. Hannity said he couldn't figure out why the Republicans weren't talking about this and making this a big issue.

□ 1815

And if he were here tonight, I would say, "Sean, we are doing it. We are screaming from the top of this Capitol that we ought to drill in the ANWR, we ought to drill off the Continental Shelf. We have a 500 year supply of natural gas. But the Democrats on the other side will not listen to the American people, and the price of gasoline goes up and up and up and the price of energy goes up and up and up."

I understand that my colleagues on the other side of the aisle want to go to new forms of energy that are environmentally safe, and I think everybody in this body wants that.

But while we are transitioning to the new technologies, we still have to live. We still have to have heating oil. We still have to have gasoline. We still have to have energy. And the way we can get it and not depend on foreign resources is by drilling in the ANWR, drilling off the Continental Shelf, using coal shale and using natural gas. But the environmentalist lobby, and my colleagues will never admit to this on the other side of the aisle, but the environmentalist lobby has them by throat, and as a result they will not yield to the America people's will that we drill here in this country to reduce the price of energy.

Now, I believe this will be an issue in the fall campaign. I know everybody is talking about OBAMA and MCCAIN and the presidential race. But the people who are in this country are really concerned about getting to and from work and paying their bills. I would just like to say to my colleagues on the other side of the aisle, go to any gas station tonight, go to any gas station tomorrow, and ask anybody pumping gas this question: Do you think we ought to drill for our own oil? Do you think we should depend less on foreign resources like Saudi Arabia or Venezuela? And 80 percent of them will look you right in the eye and say, you bet. I want the price of gasoline to go down.

My Democrat colleagues, I want you to listen to them, because they are going to get more and more angry with you because you will not listen. We could bring the price of gasoline down immediately if we say we are going to drill in ANWR, drill off the Continental Shelf, because our competitors around the world are going to say, "oh, my gosh, there is going to be competition," and you will see the price of gasoline and oil per barrel go down.

So, tonight, once again I will just say to my colleagues on the other side of the aisle, please, please listen to the American people. They want to drill in the ANWR. They want an environmentally safe way to drill in the ANWR, and we have it. They want to drill off the Continental Shelf. They want us to drill for our own oil and our own natural resources, and they don't

want to depend on Saudi Arabia, Venezuela, Mexico or anyplace else. And we should listen to them. We should listen to them.

So if Sean Hannity were here tonight, I would say, "Sean, we are listening to you. We have heard you. We are screaming from the top this Capitol, but our colleagues on the other side of the aisle aren't listening right now."

But if we keep this up and the American people listen, and I think they will, they are going to hold my colleagues on the other side of the aisle, the Democrats, they are going to hold them responsible for the cost of energy.

So I would just like to say to you, the election is coming up and everything looks pretty good for your side of the aisle, but you better do something about energy, because the American people want something done and they want it done quickly.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WEINER) is recognized for 5 minutes.

(Mr. WEINER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DON'T ALLOW PERMANENT BASES IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. I thank the distinguished Speaker, and I thank her for her leadership.

We will in just a few minutes begin to talk about a very serious issue on universal access to health care, so I rise today to remind my colleagues that we are still in a very troubling conflict in Iraq. We are still spending billions and billions and billions of dollars. Even in the last few days I have seen the loss of young sons, young brothers, young men in my own community. We have buried a number of our fallen soldiers in the Houston, Harris County and South Texas metroplex.

We recognize that we are a nation that is willing to send her very best, her very brightest, to the front lines of

Iraq and Afghanistan and places around the world to defend the honor, but yet the need for freedom and democracy. But this is a war that the American people over and over again, 60 to 70 percent have said we must bring our troops home. The American people have said enough is enough.

We honor those who have fallen. We honored them in this memorial week. I was in Aviano, Italy, and celebrated there at the Air Force base with the young men and women, the fallen, who fell on foreign soil. It was my honor and my privilege to be there, and I will do so wherever there is the opportunity to say thank you to those that live injured, for those who gave the ultimate sacrifice. We will never dishonor their service.

So I claim that today we can call the actions in Iraq, albeit my opposition to the offense or the invasion of Iraq by this country, we can call it a military success. We can call it a military success and bring our soldiers home.

What disturbs me, Madam Speaker, is that this Nation, this administration, is negotiating for foreign bases on Iraq soil, U.S. bases on the soil of Iraq, when over and over again this Congress has voted against maintaining long-term bases, U.S. bases, in Iraq. We have said it clearly. We have said it over and over again.

So I raise the question as to why is the administration engaging in negotiations for permanent military bases without the engagement and the affirmation of this Congress that has said to the administration that we do not want permanent military bases and neither do the people of the United States?

Now, I recognize that we have the responsibility of transition as the new administration comes in. I am believing that the new administration that will come in to be President of the United States will be the administration that will oppose this war and that will begin to bring our troops home.

But if, for example, we were concerned about transition, let me simply say, we are aware that we have a Central Command in the region. It is an active Central Command. It will be headed by General Petraeus for the next couple of months.

There is no reason why when that region is in need that under the Central Command the appropriate military operation can be dispatched, if necessary, to the region, to Iraq and to other places around. It seems to be a smack in the face of Congress that has over and over again said that it is time to bring our troops home, that we cannot spend millions and millions and billions more of dollars in Iraq.

It is time for Iraq to secure its own security, to defend itself, to build its own military bases. And, yes, we are quite happy to continue to train those Iraqi soldiers, which I visited with in the last couple of months. I was there. I saw them. They are committed and dedicated, the Iraqi soldiers. Their gen-

erals are committed and dedicated. Give them the opportunity to finance their own bases, to finance the military. But enough is enough. I believe the American people have spoken.

So I say to the administration, we will not tolerate permanent bases on the soil. And I want to thank the Progressive Caucus with the leadership of Congresswoman WOOLSEY and Congresswoman LEE, the Out of Iraq Caucus with Congresswoman WATERS, both of which I am a member of. We have worked on this. We have heard from the American people. We have heard testimony.

Frankly, this is an insult to the Members of the United States Congress, when we know that there are alternatives to ensuring the safety and security of the region, and we also know that the American people have spoken.

I stand with the American people. The needs are great. We must use this money for other reasons, bringing our soldiers home, training them, creating a green economy, making sure that we have the education we should and the health care that we should. It is time now to bring our troops home, and certainly it is time now to end this frivolous debate about permanent bases in Iraq.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

(Mr. BURGESS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SUNSET MEMORIAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Madam Speaker, as many times before, I stand before this House with yet another Sunset Memorial.

Madam Speaker, it is now June 10, 2008, in the land of the free and the home of the brave, but before the sun set today in America, almost 4,000 more children, defenseless unborn, were killed by abortion on demand. And that is just today, Madam Speaker. That is more than the number of innocent lives that this Nation lost on September 11, only it happens every day.

It has now been exactly 12,923 days since the tragedy called Roe v. Wade was first handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of its own children. Some of them,

Madam Speaker, cried and screamed as they died, but because it was amniotic fluid going over the vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common, Madam Speaker. First, they were each just little babies who had done nothing wrong to anyone; and each one of them died a nameless and lonely death; and each one of their mothers, whether she realized it immediately or not, will never quite be the same; and all the gifts that these children might have brought to humanity are now lost forever.

And yet even in the glare of such tragedy, this generation still clings to a blind, invisible ignorance, while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims, those yet unborn.

Madam Speaker, perhaps it is time for those of us in this Chamber to remind ourselves of why we are really all here. Thomas Jefferson said, "The care of human life and its happiness and not its destruction is the chief and only objective of good government."

The phrase in the 14th Amendment capsulizes our entire Constitution. It says, "No State shall deprive any person of life, liberty or property without due process of law."

Madam Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here. The bedrock foundation of this Republic is that clarion declaration of the self-evident truth that all human beings are created equal and endowed by their creator with the inalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our core commitment to this self-evident truth. It has made us the beacon of hope for the entire world, Madam Speaker. It is truly who we are.

And yet today another day has passed, and we in this body have failed again to honor that commitment. We have failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection we should have given them.

Madam Speaker, let me conclude in the hope that perhaps someone new who hears this Sunset Memorial will finally tonight embrace the truth that abortion really does kill little babies, that it hurts mothers in ways that we can never express, and that 12,923 days spent killing nearly 50 million children in America is enough; and that the America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust is still courageous and compassionate enough to find a better way for mothers and their unborn babies than abortion on demand.

So tonight, Madam Speaker, may we each remind ourselves that our own days in this Chamber and in this sunshine of life are also numbered, and all too soon each one of us will walk from

these doors for the very last time. And if it should be that Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of the innocent unborn in our Nation. May that be the day when we find the humanity, the courage and the will to embrace together our human and our constitutional duty to protect these, the least of our tiny little brothers and sisters in America from this murderous scourge upon our Nation called abortion on demand.

Madam Speaker, it is June 10, 2008, 12,923 days since *Roe v. Wade* first stained the foundation of this Nation with the blood of its own children. This in the land of the free and the home of the brave.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HUNTER) is recognized for 5 minutes.

(Mr. HUNTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SOLVING THE CHALLENGE WITH REGARD TO GAS PRICES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of Georgia. Madam Speaker, I go home, as most Members of Congress do, every weekend and talk with constituents and try to get a sense of what their concerns are and make certain that we are representing them responsibly here, and upon my last visits home on the weekends over the past 3 or 4 months, their concerns are the concerns of Americans all across this country, and that is the concern of energy prices, of gas prices. They aren't just concerned, Madam Speaker; they are mad. They are mad because they see absolute and utter inaction here in the United States Congress. American values and American vision dictates that we do all we can to solve the challenge that we have before us as it relates to gas prices.

□ 1830

Four dollars a gallon, we hit that mark over this past weekend.

I wonder what price per gallon it will take to get this Democrat majority to act, to work to increase supply. Is it \$5 a gallon, \$6 a gallon, is it \$10 a gallon? Will it happen then that this Democrat majority will then allow this Congress to vote on increasing supply?

Now, there are all sorts of things that ought to be done. The kinds of things that have been described by my friend on the other side of the aisle are appropriate, and we ought to do them. I support, strongly, conservation. We can do a lot more in the area of conservation and should incentivize conservation.

I support, strongly, finding that alternative fuel and incentivizing genius

of the American people to identify what that is so that future generations won't be reliant on fossil fuel. But right now, it's imperative that we work to increase supply.

This problem isn't new. This distinction between folks on the Democrat side of the aisle and the Republican party on this side of the aisle isn't new. We have had vote after vote after vote over the past 10 or 15 years on increasing the supply of oil in this Nation, and time after time after time our friends on the other side of the aisle have not risen to the occasion. You talk about Alaska exploration, ANWR exploration, House Republicans have supported that 91 percent of the time, 91 percent of House Republicans have supported Alaska exploration; Democrats, 86 percent have opposed it.

Jay Leno, I don't know if you heard, Jay Leno said Democrats right now say that it will take 10 years if we explore in Alaska to realize any new gasoline, and then he said, that's exactly what they said 10 years ago.

It goes on and on. Coal-to-liquid technology, 97 percent of Republicans have supported coal-to-liquid technology, 78 percent of Democrats have opposed coal-to-liquid technology. Oil-shale exploration, every time it has come up 97 percent of Republicans have supported it; House Democrats, 86 percent have opposed it. Deep-sea exploration, House Republican support, 81 percent; House Democrats, 83 percent opposed.

What about increasing refining capacity? House Republicans, 97 percent support; House Democrats, 96 percent opposed. So 91 percent, in summary, of House Republicans, have historically voted to increase the production of American-made oil and gas and 86 percent of House Democrats have historically voted against increasing the production of American-made oil and gas.

It has been said that every other Nation on Earth views their natural resources as an economic asset. House Democrats, this majority, believes that natural resources in this land are an environmental hazard.

What do we do? Well, I want to commend Representative TIM WALBERG of Michigan, who is leading the fight to decrease gas prices. He has filed a discharge petition on House Resolution 3089, which will increase refining construction and capacity, boost alternative energy development, provide incentives to increase nuclear energy and allow for environmentally friendly domestic oil production.

I call on the Speaker, and I call on the leadership of this House to bring this commonsense bill to the floor. These are real solutions for the American people, American energy for Americans. It's the American vision, it's the American values that are across this land.

The American people understand and appreciate the challenges we face. They just can't understand and appreciate why this majority won't act to increase supply.

UNIVERSAL HEALTH CARE

The SPEAKER pro tempore (Mr. COHEN). Under the Speaker's announced policy of January 18, 2007, the gentlewoman from California (Ms. WATSON) is recognized for 60 minutes as the designee of the majority leader.

Ms. WATSON. Mr. Speaker, this will be the first of a special order pinpointing and focusing on the need for universal health care insurance.

There will be speakers today that will point up various areas of need. But in opening this hour, I would like to say that over the past 15 years there has been incremental reforms that have expanded health care coverage to limited populations and have crowded out an increasing number of Americans from the private insurance market.

Preventable and mismanaged chronic disease, such as asthma, cancer, diabetes and heart disease, are the leading causes of death and disability in the United States and account for the vast majority of health care spending. They have affected the quality of life for 133 million Americans and are responsible for 7 out of every 10 deaths in the United States, killing more than 1.7 million Americans every year. Chronic diseases are also the primary driver of health care costs, accounting for more than 75 cents of every dollar we spend on health care in this country.

As reported by the Centers for Disease Control, in 2005, this amounted to \$1.5 trillion of the trillions spent on health. Despite worldwide problems, the issue of chronic disease does not register with large segments of the public. As policymakers, we must raise the awareness of the health care crisis on this issue of the uninsured and underinsured as a primary concern in Congress.

Now, there is legislation to ensure that all Americans will have access guaranteed by law through the highest quality and most cost-effective health care services, regardless of their employment, income or health status.

The following Members will be speaking on this issue, and I call up as the first speaker the young lady from Texas, Representative Sheila Jackson-Lee.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentlelady from California for yielding, and let me add my appreciation for the vast knowledge that she brings, particularly as it relates to the comparisons of our health care, to the international system of health care, having been an ambassador and knowing, really, some of the stark contrasts between nations that are developing and have a better health care system than we have here in the United States.

I want to add my appreciation as well to Chairman JOHN CONYERS, who has single-handedly led the cause and the fight for universal access to health care, particularly as it relates to the legislation that all of us are looking forward to seeing passed, because this is legislation that clearly is enormously important.

So I want to speak today on some issues and share some stories of individuals who are suffering in the State of Texas. Maybe those who are within the sound of our voices will understand that we do not take your plight lightly. We have heard Members come on the floor of the House and talk about the spiraling gasoline prices, we have heard them talk about the crisis in the housing market.

I was in my district, and we had an hour-long program, and we really couldn't end the program. It was a television program, and all of the questions were on the foreclosure market. The producer came out and said, they don't want to ask any other questions. They just want to ask about the foreclosures.

People are hurting, and if you juxtapose the high food gasoline prices high food prices and your mortgage being foreclosed on, or no place to live, can you imagine what it is like? You can imagine, with no health insurance, catastrophic conditions, with the backdrop of the spiraling unemployment, then I would say that we have a human crisis, an American crisis where people are falling on the spear.

Yesterday, I introduced the Medicare Efficiency and Development of Improvement of Care and Services Act, MEDICS Act, of 2008. It is a complement to universal access to healthcare. But if we had universal access to health care, many of these issues would not have to be, if you will, remedied piece by piece.

Just to give you a very brief overview, the bill that I introduced has an elimination of discriminatory copayment rates of Medicare outpatient mental health services. It also prohibits and limits certain sales and marketing activities under Medicare Advantage, and it has exemptions from income and resources for determination of eligibility for low-income subsidy.

One of the key elements is if you are on Medicaid and you die, this eliminates the ability of States to collect from your estate, you don't have anything. It may be that you are leaving minimal resources to your children, and lo and behold, they want to grab that up to pay for the long-term care that you needed while you were in the hospital under Medicaid, more insult to your dignity.

So very quickly let me say that I rise to support H.R. 676, the United States National Health Insurance Act, that is sponsored and introduced by my colleague, Chairman CONYERS, of which I am an original cosponsor. I would just simply say in the State of Texas when you look at HIV and STDs, for example, there are 22,948 total AIDS cases in Harris County, this was in 2005. These are people who may have health issues we have to address.

According to the Texas Department of State Health Services, 72.9 percent of African Americans in Texas are overweight, while 60.3 percent of the

Anglo white population are overweight. That bodes for an unfortunate health situation.

H.R. 676 would cover health care costs and would decrease for both families and for businesses. Currently the average family of four covered under an employee plan spends \$4,225 on health care, \$2,713 on premiums and \$1,522 on medical services.

I would say to you that under H.R. 676 a family of four making the medium income of \$56,200 would pay about \$2,700 for all health care costs, including the current Medicare.

Is that not a reformation of this system? Is that not a light at the end of the tunnel? Businesses would benefit as well. They would pay a 4.75 percent payroll tax for all health care costs, including the current Medicare tax. For an employee making a median annual family income of \$56,000, the employee would pay about \$2,700 per year. That is the answer that we are giving tonight and why we are here on floor of the House.

We want you to know, our colleague, that there is relief. We can move H.R. 676, which is based on the traditional Medicare model and provide health care coverage for a family of four that is drastically different from the crisis that they are facing today, because today they are facing a crisis such that if they are in any catastrophic illness you can be assured that they will have no relief.

Let me close by sharing with you two very painful stories, and you can understand why, might I say to you, there are pages and pages of stories of those who are suffering in this dilemma of having to pay for all of these expenses and short-changing their families on health care.

The lack of health care leads to death. Impossibly high gas prices can lead you to public transportation, it may lead you to walking. It may lead you not to going to places where you have not often gone, but you are still alive and might even be healthy. The lack of food may mean that you have a little less on the table, and it may mean your health, but it actually will not kill you directly.

Certainly we know that we want better education and our troops home. But if you do not have good health care, it can lead to your death. Whether it's preventive health care, whether it's mental health services, it can actually lead to the death of your loved one. Poor health care can lead to the death of your loved one.

We are speaking of life and death. This story is from Mike. "I lost my job as an RN for advocating for better staffing ratios and patient safety." That means here is a registered nurse who is trying to fight for better quality of health care, got fired. "With that job loss, I lost my medical insurance. On New Year's Day I had an ocular stroke. I was having symptoms for a couple of days prior, but without medical insurance, decisions are made in a different manner."

□ 1845

"I put off the treatment because I didn't have money to pay. In the process I delayed treatment, and now I am blind in that eye. If I had insurance, I would have sought treatment sooner. I am a health care professional who delayed treatment decisions because of the cost and lack of insurance."

This person could have died. Now they are blind which limits I imagine some of their occupational opportunities. They are blind because America allowed them to live without health insurance.

This is my final testament to the crisis we are in. This is from Robin: "My daughter has a developmental disorder, something in the autism spectrum, her pediatrician has guessed. I am not certain of the extent of the diagnosis of her disorder due to the lack of my funds, being a single mother, and lack of quality health insurance. I can scrape together money to take her to the doctor if she has any routine sickness, and I push my budget the best I can to pay for 30 minutes of private speech therapy a week to complement what the school system provides. But there is so much more she needs. She could do so much better with medication that could possibly help her lead a decent life. If I could afford to get the extensive tests and evaluations, and even then, who knows if I could afford the medicine. She cannot qualify for SSI or Medicaid; they say I make too much money. That is an outrage. She cannot qualify for CHIPs; again, they say I make too much money. But I don't. Once I pay for day care, speech therapy, clothing, car insurance, food and shelter, transportation, the rising cost of gasoline, \$38,000 gross without child support is not enough money. Can you imagine that they say \$38,000 kicks her out of Medicaid and the CHIP program, especially when all your daughter can qualify for is a super-expensive health insurance risk pool. What can I do? I want the American dream, but I cannot have it. I am stuck in this old, falling-apart apartment with an old car and inadequate health coverage with my sweet, 7-year-old daughter. God help us, she deserves better."

God help America. America deserves better. This universal access to health care is what we all should believe is the American dream.

I close by simply saying what our Founding Fathers said: We all are created equal with certain inalienable rights of life, liberty and the pursuit of happiness. I will just simply say that God has to help us come to our senses and pass this legislation, H.R. 676, authored by my dear friend, John Conyers, and cosponsored by so many of us, otherwise God help us.

I thank the gentlelady for her great leadership on this issue.

I regard health care as one of the most pressing issues facing this country and the world. I have been a staunch supporter of legislation that aims to eliminate health disparities in this country, fight the HIV/AIDS pandemic,

combat the childhood obesity crisis facing this Nation, and provide health insurance coverage for all Americans. Most of all, I strongly believe that quality healthcare should be affordable and accessible to all.

Yesterday, I introduced the Medicare Efficiency and Development of Improvement of Care and Services Act (MEDICS Act) of 2008. For decades, Democrats have been fighting to fix the broken America's healthcare system and this initiative is an important tool to make sure that our most vulnerable get the healthcare they need.

As a long supporter of Universal Health Care, I am happy to announce that this legislation puts our healthcare system on the correct path of providing access to health care for our Nation's low income, minority and elderly populations. On Friday June 6, 2008, my colleague Senator MAX BAUCUS introduced a health care reform bill that addresses these key problematic issues continuing to plague our health care system. I am happy to announce that The MEDICS Act is the companion bill to Senator BAUCUS' legislation, uniting Congress on one accord to push for crucial healthcare reform. In 2007, there was an estimated 47 million people uninsured in our Nation. This is un-American and unacceptable. Now is the time to ensure that every citizen has access to the proper health care benefits they need.

In my house companion I have added a section requiring that within one year of enactment the Secretary, in coordination with the Association of American Medical Colleges, shall submit to Congress an effective plan to increase the number of primary care physicians particularly those practicing in counties, cities, or towns "underserved" or with a disproportionate number of Medicare-eligible and/or Medicare recipients. Without our primary care physicians, which act as the gateway to care we can never move towards an effective universal healthcare plan.

According to the Texas Department of State Health Services, Texas HIV/STD Surveillance Report, there were 22,948 total AIDS cases in Harris County in 2005; a figure which almost doubled the next closest county in Texas.

According to the Texas Department of State Health Services, 72.9 percent of African Americans in Texas are overweight or obese while 60.3 percent of White residents are obese.

The need for a high-quality, accessible and affordable health care system has never been more urgent. There are currently 47 million uninsured Americans, 8 million of whom are children. Another 50 million are underinsured. Although the U.S. spends twice as much on health care per capita as countries with universal coverage, the World Health Organization ranks us 37th in overall health system performance.

This Congress, I am an original cosponsor of H.R. 676, "The United States National Health Insurance Act," introduced by my colleague Congressman CONYERS. This act would allow for every American to receive health insurance.

H.R. 676 would create a publicly financed, privately delivered health care system that improves and expands the already existing Medicare program to all U.S. residents, and all residents living in U.S. territories. The goal of the legislation is to ensure that all Americans will have access, guaranteed by law, to the highest quality and most cost effective health care services regardless of their employment,

income or health care status. You, the American people called for universal health care, as it was one of the most prominent issues for Americans in the 2006 elections.

The need for a high-quality, accessible and affordable health care system has never been more urgent. There are currently 47 million uninsured Americans, 8 million of whom are children. Another 50 million are underinsured. Although the U.S. spends twice as much on health care per capita as countries with universal coverage, the World Health Organization, ranks us 37th in overall health system performance. Major American corporations such as General Motors bear the brunt of an outdated health care system because they are at a competitive disadvantage relative to their international counterparts who pay less for health care. A Harvard study found that almost half of all bankruptcies are partially or fully related to health care bills.

Universal health care would not cause a financial burden on American families. According to the Government Accountability Office (GAO), "If the U.S. were to shift to a system of universal coverage and a single payer, as in Canada, the savings in administrative costs [10 percent of health spending] would be more than enough to offset the expense of universal coverage."

Under H.R. 676, health care costs would decrease for both families and for businesses. Currently, the average family of four covered under an employee health plan spends a total of \$4,225 on health care annually—\$2,713 on premiums and another \$1,522 on medical services, drugs and supplies. This figure does not include the additional 1.45 percent Medicare payroll tax levied on employees. Under H.R. 676, a family of four making the median family income of \$56,200 per year would pay about \$2,700 for all health care costs, including the current Medicare tax.

Businesses will also save money under universal health care, as set forth by H.R. 676. In 2006, health insurers charged employers an average of \$11,500 for a health plan for a family of four. On average, the employer paid 74 percent of this premium, or \$8,510 per year. This figure does not include the additional 1.45 percent payroll tax levied on employers for Medicare. Under H.R. 676, employers would pay a 4.75 percent payroll tax for all health care costs, including the current Medicare tax. For an employee making the median annual family income of \$56,200, the employer would pay about \$2,700 per year.

Our plan, H.R. 676, "The United States National Health Insurance Act," guarantees every resident of the United States access to a full range of medically necessary services, including primary care, prescription drugs, mental health care and long term care. There are no co-pays or deductibles under this program. The role of the government would be limited to collecting revenues and disbursing payments; care would continue to be delivered privately. Patients could continue to use the same hospital, physician or health clinic from which they currently receive services. H.R. 676 is supported by over 210 labor unions and more than 100 grassroots groups across the country. The former editor of the New England Journal of Medicine, two former Surgeons General and 14,000 physicians support national health insurance.

H.R. 676 is based on the traditional Medicare model, in which the government negotiates and pays service fees for private and

public providers and mails its enrollees a card that gives them access to the doctors and hospitals of their choice. This system does not divert profits to insurance companies. This legislation is focused, first and foremost, on serving the American people, not on generating profits for big companies.

Lack of health-care is no longer just a concern of those living in poverty. According to recent reports, more than one-third of the nearly 47 million uninsured Americans coming from households with family incomes of \$40,000 or more, lack of health insurance has become a worry of the middle class.

There is no reason why this country should continue down a dreadfully deleterious road of denying healthcare to any citizen of this country who needs it. Many of the health conditions, such as diabetes, obesity, kidney failure, cancer, hypertension and HIV/AIDS, the prevalence of which plagues our community the most, could be curtailed or even prevented if everyone had access to health insurance. I will continue to fight hard for the most effective policy measures that aim to narrow the racial health disparity gap.

Ms. WATSON. I thank you, and call on the distinguished gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Thank you, Congresswoman WATSON. And I want to thank Chairman CONYERS for organizing this special order and for his leadership on universal health care.

I am glad to join with my colleague, DIANE WATSON, and JAN SCHAKOWSKY is here, and we just heard from SHEILA JACKSON-LEE, to highlight the need for health care for not just some Americans but all Americans.

Mr. Speaker, more than 47 million Americans are uninsured, an increase of 6 million since this administration took office. Nearly 10 million of those uninsured are children, children under the age of 18. It is unforgivable that a country as wealthy as the United States of America cannot find a way to provide health insurance to its entire population.

Actually, when there is a will, there is said to be a way. So the United States must not have the will to provide health coverage to every single American.

Medicaid and the Children's Health Insurance Program, CHIP, are important safety nets for children whose families cannot afford to purchase health insurance. However, even with these programs, 10 million children still lack health insurance. Currently, Healthy Families, which is what CHIP is called in the State of California, Healthy Families serves 1.2 million children, more than 10,000 children in my district. And last year we, the Congress, had the opportunity to expand CHIP to provide services to nearly 4 million more children. This legislation would have provided health care to an additional 607,000 children in California, and would have provided CHIP coverage to many of the 5,000 children without health insurance in my district.

Unfortunately, however, the administration recklessly vetoed this expansion.

Imagine when the United States is spending over \$338 million a day in Iraq, we can't find \$35 million over 5 years. So divide that, 5 into 35 is 7, so that would be \$7 million a year to provide an additional 4 million children with health insurance.

What are these priorities?

No child should be denied quality care because his or her parent cannot afford to purchase health insurance. No parent should have to choose between medicine for his or her child and food on the table.

Mr. Speaker, even if we are able to insure every child, that still leaves nearly 40 million Americans without health insurance. We hear stories every day about people who lack medical care and whose only option is to go to our already overcrowded emergency rooms to seek care. Our Nation's health centers, hospitals and emergency rooms are doing everything they can to provide medical care to the uninsured and underinsured, but they cannot fill the need.

Actually, when an emergency room is the care center, the underinsured and uninsured do not get access to important preventive care and they do not get access to screenings to prevent disease or catch and treat them early. The shame is that we can detect and treat diseases when caught and treated early. So many uninsured, for example, who are surviving cancer and other serious diseases could have been treated with access to screenings and treatment.

No one should have to put off important medical screenings like a mammogram because she cannot afford the cost and doesn't have the time for a wait list for free screenings. If a woman is diagnosed with breast cancer, she should not have to choose between food on the table or rent. What an awful choice to be asked to make, particularly if you have a family to support. No one should be denied necessary medical care because they cannot afford it. We must refocus our priorities. We must use the money that we are spending on Iraq to invest in our Nation's health care system. The 47 million Americans without health insurance deserve no less.

I look forward to working with my colleagues to find the best possible solution to address this crisis, and I thank you again, Congresswoman WATSON, for holding this special order.

Ms. WATSON. We thank you for your depth of understanding of the issue.

Now I yield to the distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Thank you, Congresswoman WATSON, for organizing this and allowing me to participate tonight. I also want to thank our colleague, Representative CONYERS, for his long-time passionate leadership on universal health care. I don't know if he is going to get here tonight, but he certainly has been a steady and consistent voice for health care and health

care reform. Thanks to his efforts and that of so many others, I believe we are on the brink of accomplishing this long-awaited goal, and that this time we will be successful in providing affordable, guaranteed health coverage for all Americans.

When I first ran for office in 1990 for the State legislature, I proclaimed that as my goal in public service, that one day to be able to contribute to the victory of allowing all Americans to receive health coverage. I have always felt that this richest nation in the world, that it is a shame and really an embarrassment that Americans, unlike citizens and residents of every other industrialized nation in the world, that we don't make health care accessible to all of our citizens. It is unacceptable and in many ways un-American. It is not in the tradition of our country, which is to take care of each other.

There are lots of people across the country who are ready to make this fight. Another one of the heroes I wanted to highlight tonight is my friend and until recently when he retired from active practice my physician, my personal physician, Dr. Quentin Young of Chicago. Quentin Young was the chairman of medicine at Cook County Hospital. He was the president of the American Public Health Association. He is a founder of Health and Medicine Policy Research Group in Chicago, and a co-founder of the Physicians For a National Health Program. And in each of his roles, expanding access to quality health care has been his top priority. He is one of the most articulate and passionate and consistent long-term spokespeople for single payer health care in our country, for providing affordable, comprehensive and quality health care for all.

And as Dr. Young frequently says, "We feel universal health care is no longer the best answer, it is the only answer. There was a time when there were alternatives that might have worked, but that day is passed."

He goes on to say, "I certainly think it is attainable. It has been attained in certain countries that aren't very different from us. I totally come down on the side of health care being a human right. It is very hard for me to see a coherent let alone a moral or decent argument against it because illness doesn't distribute itself according to the ability to care for yourself and be cared for. It strikes children. It strikes the poor. It strikes the most needy, and the most ill-protected disproportionately. That is the correlation."

Cardinal Bernardin, also from Chicago, a hero on health care, said it best. He said, "Health care is so important to human life and dignity that it is the responsibility of society to offer access to decent health care to every person."

And I was pleased that he didn't say every citizen. He said every person. So the answer is that it should be considered a right guaranteed by society, which means it must be a responsibility of government.

And as we enter this new round of discussions, more and more people and organizations have come to agree with Dr. Young and JOHN CONYERS' conclusions. New coalitions have formed, including small and big businesses, consumer and labor groups, providers and the faith community, and organizations representing people with disabilities and living with chronic diseases. The time has come for action.

In 2002, the Institutes of Medicine estimated that 18,000 people a year died because they were uninsured. They were unable to afford preventive services, screenings that would have provided early warnings, prescription drugs or medical care. Today the Urban Institute estimates that annual death from uninsurance are up to 22,000 people every year. That is 432 people each week, 60 people each and every day who die because the United States of America alone in the industrialized world does not guarantee affordable health care to our people. It is a horrendous statistic.

But it is only a partial description of the catastrophes we face. Our health care system is becoming completely dysfunctional for patients and for those who care for them.

Even being covered by insurance is no guarantee. The Commonwealth Fund has just released a new study that concludes between 2003 and 1997, the number of uninsured Americans grew by 60 percent. There are now 25 million insured people who could face financial catastrophe if they become sick or injured.

Consider this: One in five Americans under the age of 65, many of them insured, live with medical debt. I say under 65 because many people are waiting for that birthday, can't wait to get there because then finally Medicare, a national health insurance for people over 65 and those with disabilities who qualify, do get health care.

□ 1900

Medical bills are the leading cause of about half of all personal bankruptcies. High deductibles and co-pays, limits on payments, denials of needed care, all of these shift burdens to individuals and families who are already struggling. These numbers are staggering, and it's a national shame that while spending 50 percent more than any other country in the world on health care, we fall so dismally short in providing a health care guarantee.

But it's also important to remember that behind each number is a person, our friends, our neighbors, our family, our colleagues, ourselves; people like the Wells family from Illinois, who accumulated over \$175,000 in medical expenses while waiting for their employ-

er's 6-month waiting period for coverage to expire.

Or Susan, who can't afford the tests her doctor wants her to have to deal with her high blood pressure; or Constance, who moved back to Illinois to care for a family member and can't find a job that provides affordable benefits.

I want to close by saying that winning the fight for guaranteed health care for all is not just the right thing to do, it's the smart thing to do. Too many potential entrepreneurs are locked into jobs that provide health care, unable to leave and create new businesses that keep our economy strong and provide new jobs.

Too many businesses that are providing coverage for their workers are competitively disadvantaged because their foreign competitors operate in countries with national health care. They too want us to get it together and adopt universal health care.

So, again, I want to thank Congresswoman WATSON and again, I want to thank Congressman CONYERS for his leadership.

Ms. WATSON. We would like to thank you, the Honorable JAN SCHAKOWSKY, for a thorough analysis of what the problem in access to health care really is. Thank you.

The Representative from Kansas, NANCY BOYDA, Dr. Representative CHRISTIAN CHRISTENSEN, Mr. Speaker, you were on our list to make a presentation in this hour. Would you like to do it? And I don't know what's protocol. Mr. Speaker, Representative SCHAKOWSKY will take your place temporarily so you can make your presentation if you choose.

The SPEAKER pro tempore. I couldn't have a better substitute.

Ms. WATSON. I just want to say that Members in this first hour have struck a chord with the American people and the needs. And when we talk about homeland security, it is not the land, it's the people on the land. And I am very disturbed that we're losing too many of our people who help defend this land to all kinds of diseases and health problems that need not be. With the proper kind of access to health care, we wouldn't be seeing so many of our viable citizens perish. We could do something about it.

So we intend, Mr. Speaker, to have a series of these discussions with America. And we do hope that maybe we can pull in CNN, Nightline, that's ABC, Channel 7, to hold a periodic series of these discussions about access to health care.

We do hope that you're able to make your presentation at this time, Mr. Speaker.

All right. I understand that you won't be speaking at this time, so let

me—how much time do we have left on this hour?

The SPEAKER pro tempore. Thirty minutes.

Ms. WATSON. I would just like to read some of the 51 stories of Americans with cancer who suddenly find themselves overburdened with medical bills, and they have gaps in their coverage. These are real people, Mr. Speaker. These are real Americans who are calling out to us.

As you know, we've had two very fine proposals coming from Senator HILLARY CLINTON and Senator BARACK OBAMA that would address access to health care.

Over on our side, in our House, we have the valiant efforts over the years of Congressman JOHN CONYERS, JR. He would have been here today, but there was a conflict. But he will continue the drum beat and the call for us to get down to business so we can have accessible health care.

I'd like to take some time to read you the plight of real Americans. This one is Susan M. She said, "My husband, Tom, was diagnosed with lymphoma in 1996, just 4 months after our daughter was born. He underwent three series of chemotherapy before dying of encephalitis in 2001. At that time the entire family was insured through his employer.

"The monthly premiums went to \$900 per month, and since I had left my job to care for him, I didn't have many options. I was able to get the kids covered by Medicaid, and I signed up for Ingram Health, which only covers doctors visits and prescriptions, not hospitalization or long-term treatment. This carried us along until a mammogram showed I had breast cancer in 2006, then I was put in to the breast and cervical cancer program. I received excellent care and am currently cancer-free.

"Earlier this year I took a contract position for 6 months at 20 to 30 hours per week. Working again helped my attitude tremendously. The depression I had struggled with for 10 years started to lift, and I was feeling positive about my future prospects.

"But, of course, the extra income meant that my kids were no longer eligible for Medicaid. So I had the added stress of finding insurance for them. I was afraid that my eligibility in the breast and cervical cancer program was also in jeopardy, so I never told my case manager about working.

"Now, the contract has run out and I'm looking for work again. I'm afraid that my coverage under the breast and cancer program will end before I can

get a job with benefits. And the bill for the children's insurance will be due in a few weeks. And I worry about what impact a pre-existing condition will have on my job prospects.

"It doesn't seem fair that my health should be tied so punitively to a job. It just adds to the emotional stress, which is already too high.

"Thank you for reading and thank you for caring."

That was from Susan M.

Jennifer G says, "My mother suffered and died with ovarian cancer. It was terrible. And as with many ovarian cancers, hers was not detected until it was way too late for successful treatment.

I am 36 years old now. My husband and I are finished having children. My doctor recommended that I have a hysterectomy because my risk of getting ovarian cancer is much higher now.

I am lucky enough to have health insurance. Unfortunately, an accountant working for the insurance company is able to override what my doctor recommends because they don't want to pay for it. They would rather take the gamble that I may or may not get the cancer. I, of course, would rather not gamble with my life.

"I am all for everyone having health insurance and having access to whatever health care they need. However, being covered by health insurance does not guarantee that you will get the treatment you need or any treatment that your doctor might recommend.

"It is not enough to demand coverage for all people. Insurance companies would still have the power to say no any time they want to save some money.

"And I don't have the solutions. I can just recommend that this is a problem on two levels. Getting some kind of universal health care coverage will just be the first step. Getting insurance companies to cooperate with doctors decisions will be the next step. This is where much of the reform will need to happen.

"Plus, I know several people who are fighting cancer and recovering from cancer. All of them have health insurance. Most of them are being denied coverage for medicine to fight their cancer. It is pathetic to have health insurance and not be able to count on it to help you when you need it the most."

And Mr. Speaker, just this morning, I was called to be told that one of our dear friends and PR persons died of cancer at 2 a.m. this morning. Her name was Pat Tobin. She came from Philadelphia, Pennsylvania, to Los Angeles a couple of decades ago. She has a daughter, a sister.

And we went to her bedside on Friday, and I could see at that point that she possibly would not make it through the night. But she did. She made it until 2:00 a.m. this morning.

And I tell about that particular account because if we could set priorities

in this country to cover the health needs of all Americans, rather than pour billions of dollars into a conflict 10,000 miles away, that I see never ending, and I see us involving ourselves in sectorial problems that we don't even understand. We don't even understand the language the people speak. How in the world could we understand their customs and their conflicts with each other?

If we could take that money out of the gopher hole it's in and put it into research in this country to stop this deadly epidemic of cancer throughout our land, wouldn't this make our country stronger?

We're losing 4,000, we have lost 4,090 people, and countless innocent Iraqis and others. I hear it could be as much as 300,000.

But no, we stupidly, stupidly and incorrectly continue to dump monies, and we don't even take care of our own domestic priorities.

We argued over health care for children? Every child in this country, whether that child is here with legal papers or not, not only deserves an education, but deserves health care. What kind of country are we that let its own people die because insurance companies are saying oh, no, that's too much?

And we never see their actuarial data, by the way, Mr. Speaker. That actuarial data could go into investments that fail. We don't know it. They just up the premium.

And when you have a catastrophic illness or a long-term illness, it could bankrupt you. Look at Ed McMahon, Tonight Show host, along with Johnny Carson, for decades. And now he's on CNN on the Larry King Show, talking about his broken neck and his injuries, and now his Malibu home is in foreclosure.

□ 1915

That's an American of prominence who was worth at one time \$100 million. But a catastrophic illness could run you into bankruptcy. And that story is told many, many times.

I will not take the time now, Mr. Speaker, but these are actual people with actual stories. And we are the policymakers, and we're going to continue to tell their stories night after night until we, as a body, until we, as the Congress, can come together and set our priorities on what is really necessary to keep America strong. And it might take a new administration.

So we're going to lay the groundwork for the next President and Commander in Chief of these United States to choose prosperity, to choose health care, to choose education, to choose social services over profiteering by your best buddies in the oil industry. You can read between those lines. And we hope that the next President of the United States will set, as its higher goal, to keep America healthy and be sure that every single American and persons here can get that kind of

health care. So together we can conquer.

We should not lose another person to cancer. We should not in this country because we should have done the kind of in-depth research and tests so that we could come up with various prescriptions and remedies to save the lives of so many worthy people.

Thank you so much, Mr. Speaker, for this time. We will be back again another night.

Mr. COHEN. Thank you, Madam Speaker.

It is indeed an honor to join with the previous speakers and you, Madam Speaker, to speak on this subject that you and Chairman CONYERS and others have brought to this fight.

It has been a long fight. Chairman CONYERS and Mr. DINGELL and Mr. DINGELL's father I think have had sponsorship of issues such as this since the 1940s, 60-some-odd years of efforts and introduction of legislation and debate and discussion, but no bill yet. But we've come a long way. We've come a long way since the 1940s.

Madam Speaker talked about the individuals who suffer from cancer and should not have lost their lives because we didn't have adequate research. I have penned a letter to the Speaker and to Chairman OBEY, who I know are concerned about this issue, asking that we increase NIH funding in the President's 2009 budget for research on cancer, diabetes, heart disease, AIDS, Parkinson's, and Alzheimer's disease so that we double the amount that we had in the budget as requested by Congress.

In the President's fiscal year 2009 budget, the request for research at the National Institute of Health for cancer, diabetes, heart disease, HIV/AIDS, Alzheimer's, and Parkinson's, this could be doubled, and only a day or so's worth of money that we use for our war efforts would have to be transferred to make this available.

You know, I think about what the Speaker was talking about, the loss of lives, and I had to think about Senator KENNEDY. Not that one life is greater than another life. But Senator KENNEDY is a colleague who has been in this hall and is fighting cancer. We hope he will have a successful fight. But when we see him struck with cancer, and others—and we know there are people dying every day of cancer—it just seems to me that it's a shame that we don't put more and more money into saving lives and we don't use the great wealth of this Nation, the intelligence of this Nation, the great scientific powers of this country to invest in medical research in saving lives rather than weapons of mass destruction often brought to us by people who benefit from them and have brought the military industrial complex that President Eisenhower warned us about, even President Nixon had concerns about; and that helped take us from 9/11 into an escalating budget expense of military weapons that caused this country's budget to be spent so much

and its great talent and abilities in a scientific way to be used on weapons of mass destruction and other arms of the military industrial complex rather than science and research to save lives and save humanity.

Who knows which person, which young person or older person, could do something to save other people's lives let alone give love and hope to families?

And so with national health care insurance, we could cover people, we could save lives because if we had insurance for the people, you could scope out illnesses earlier whether you're wealthy or poor. You would have the same opportunity to have preventative care, early treatment, and diagnosis of illnesses that can cause loss of life. And that early detection can save lives.

Right now if you're poor, you don't have the opportunity to have that early detection and your life is taken. And that's an inequity that this country should not allow to continue and shouldn't have permitted for all of these years.

There are so many accomplishments that we have seen in this country, particularly in this year. We've seen our Nation become a more perfect union in so many ways. But the fundamental right to health care is one that we have not recognized yet and we must.

We're all here because of the grace of God, and it seems like we should all have the—at our access and at our disposal what God's creatures have been able to discover, refine, produce, in the way of medical care to keep people alive. That just seems like a minimum thing.

And this country is the only great industrialized country on the face of the earth without some national health care policy. It seems like in this area, we are not the first in the Nation, in the world, but we're last in the world. And that's terrible.

There are doctors that serve in this body, and they're to be admired for giving their time. And I'm sure—I have many friends who are doctors who give a lot of charity care. But it shouldn't have to be doctors providing charity care to treat people that otherwise wouldn't be treated. It should be something that we all give. And I think that that's the real social need in this country. And when people talk about values and social consciousness and really religious thought and caring about others, it really begins with caring about people's health and sacrificing maybe some of our own resources to have a government system that can help others with their health care.

So I'm pleased, Madam Speaker, to speak as I have. You have inspired me with your remarks, the letters you read; and I'm just pleased that Chairman CONYERS has this issue before us.

Madam Speaker, I enter the following for the RECORD.

Speaker NANCY PELOSI,
H-232, U.S. Capitol,
Washington, DC.
Chairman DAVID OBEY,
Committee on Appropriations, H-218, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI AND CHAIRMAN OBEY: I am writing to request that NIH funding in the President's FY09 budget for the research of cancer, diabetes, heart disease, AIDS, Parkinson's disease and Alzheimer's disease be doubled in the final FY09 budget set forth by Congress.

The following are the estimates included in the President's FY09 Budget request at the National Institutes of Health (NIH): Cancer: \$5.654B; Diabetes: \$1.033B; Heart Disease: \$2.111B; Global Fund to fight HIV/AIDS, Malaria, and Tuberculosis under National Institute of Allergy and Infectious Diseases: \$300M; Alzheimer's Disease: \$644M; Parkinson's Disease: \$186M.

These debilitating diseases affect millions of people each year across the globe. Families are torn apart, emotionally and financially, by the effects of their contraction. Congress has a serious responsibility to provide adequate funding for research that could not only find promising treatments, but permanent cures.

I cannot imagine a more pressing issue than ensuring the healthy future of those we are here to represent. The disparity between the amounts of funding requested for the war in Iraq and that requested to treat deadly diseases is incomprehensible. The successful findings of research programs made possible through increased funding will not only aid people in the United States, but the rest of the world, as well. It is my hope that, by taking full advantage of the scientific resources we have here at home, we can better our relationships with research teams across the globe to reach our common goals: finding a cure and establishing peace.

As always, I remain,

Most Sincerely,

STEVE COHEN,
Member of Congress.

Ms. WATSON. Mr. Speaker, I would just like to close out this hour by saying all those who came forward this evening we appreciate so much because you represent different areas of the country, and we hope this word can get out across the country that we're ready to move forward.

And I do hope that we can follow through on our plans to go over the media to present the case. So I'm going to request that all Members who have stories such as the ones I read, submit them to Congressman CONYER's office so we can compile these and be sure that we've referenced them as we move closer to accessible health care for all Americans.

And with that, I would like to close out this hour, reserve the balance of our time for another evening.

Thank you so much, Mr. Speaker, for the time.

ENERGY INDEPENDENCE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Minnesota (Mr. WALBERG) is recognized for 60 minutes as the designee of the minority leader.

Mr. WALBERG. Thank you, Mr. Speaker.

And just to make sure that my constituents know that I have not changed States, it's Michigan. It starts with an "M," it's up north, it's cold, generally. I can understand that. But I'm sure proud to represent Michigan, and more importantly, the Seventh District of Michigan in this great House of Representatives.

Tonight I am committed to talking about an issue that is of extreme importance to my constituents, and in fact from what we read, constituents of all of our districts all over this great United States because we are in a time and place and setting right now that, frankly, we aren't used to.

And may I submit tonight to all who would listen that, frankly, I don't think we should ever get used to it for America is too great of a Nation and has been the ambassador of great blessing to the rest of the world in many cases. It has set the course, has charted the way toward greater economic achievement, standard of living, advances in technology, business, industry, education, medicine, and transportation.

I happen to come from the district where Henry Ford had his home, made homes and schools for his employees in a great part of my district, used the resources from that district, including during some wartimes some Sassafras trees just three miles from my house that were used to make a light but strong frame for his motor cars with the absence of steel at that point in time because of the war effort.

I come from the State that has been known as the Motor Capital of the World, Michigan. Detroit has set the standard that the rest of the world has followed, emulated, copied, and sometimes even expanded upon, and yet still America, Michigan, the Motor Capital, charts the way.

Just the other day—I tell this story for a purpose, but just the other day I had something of an experience happen to me that has never happened before, nor did I expect it to happen. I filled the tank of my Harley Davidson motorcycle, which has a 5-gallon tank, and it cost me over \$20. Now, for those of you that have ridden motorcycles, it is almost unbelievable to think that a vehicle that gets great gas mileage, that has a small tank like that would ever cost double digits, let alone over \$20 to fill. But that's the place we're in right now with gas today on average across the United States at \$4.04 a gallon. My Harley happens to take premium. So I paid \$4.27 a gallon for that 5-gallon tank fill.

□ 1930

Less than 2 years ago, very seldom, if ever, would I double-digit fill my tank, even if it were on empty. Now, I don't ride my Harley Davidson for transportation anymore.

It's primarily for recreation, but 38 years ago when I started riding my first motorcycle it was for transportation, to get to and from my work.

Over the course of successive years, I would use my motorcycle in the better seasons of the year, the warmer time, to ride to work and enjoy that experience but also as commuting. I don't do that anymore, but we're paying gas prices now that should not be part and parcel of what America is.

We talk a lot about energy independence and being willing to compete and make sure that the rest of the world has to compete with us, as opposed to the other way around. And yet, up to this very day, in the outcome of what has gone on in Congress, it has been just talk and no action.

Last week, I heard the governor of our great State of Michigan announce on a major radio talk show that she was now riding a bicycle to the Capitol from her governor's residence each day, and when the host expressed concern about her safety, she said, oh, no problem, my security detail are following me on their bicycles as well.

Now, that's a nice story. I don't give any negatives toward our governor for being efficient in her use of energy resources, but you've got to understand that, when I heard that, it shocked me. And in fact, if not angered, it frustrated me to think that the governor of the motor capital of the world was riding a bicycle to work, even though she has an energy efficient, flex-fuel vehicle that I've seen her use and seen her actually fill the gas tank with fuel.

Right now, more importantly, getting to the real world of real people, people who pay those gas prices each day, people who pay their taxes, that includes supporting this Congress in what we do, right now most Michigan families that I know of, as I go back to my district each weekend, are giving up things like nights out eating at restaurants or family vacations or traveling to family events in order to cover the rising cost of gasoline. If Congress does not take action soon, families will be giving up much more than that. They will be giving up very specific needs, necessities in their life. And in fact, what I've heard in many town hall meetings, some are already giving up even necessities of their life in order to pay for the gasoline to get to their workplace the next day in order to sometime hopefully pay for some of these necessities.

Just this past weekend, AAA announced that the nationwide average gas price finally reached over \$4 per gallon. It's been much higher in Michigan for several weeks. High gas prices are affecting families, truckers, farmers, small business owners. I met a small business owner in my office today who said the cost of transporting copy machines, office equipment to and from her client is getting almost prohibitive. Emergency services, public safety, and numerous other entities in Michigan's Seventh District and all over this U.S. are being negatively affected by the high cost, and I say the unnecessarily high cost, of fuel.

Despite fuel costs at levels previously only seen in Europe, leadership in this

Congress refuses to increase American energy production. Instead, Speaker PELOSI and leading House Democrats would rather increase taxes on domestic energy production and increase our reliance on OPEC or, as suggested last week, sue OPEC for what all that's worth.

On a related note, the United States Department of Commerce recently announced the U.S. trade deficit reached its highest level in 13 months in April. Our trade deficit also increased by \$4.1 billion between February 2007 and February 2008.

This is why our country is facing a rising trade deficit, even though American-made exports grew by 12 percent in 2007. The issue related to energy and the cost of energy has a direct influence on this. This is why we need to provide incentives to increase America's investment in alternative energy and overall production of energy.

The United States imports around 12 million barrels of oil a day, and a barrel of oil has gone from \$70 to \$140 over the last year, dramatically increasing our trade deficit. Our reliance on imported oil and increased oil prices means we are sending even more money to foreign countries and some that don't like us very much at all and certainly don't share our interests.

For both economic and national security purposes, and again, I want to reiterate that, national security purposes, Congress needs to finally get serious about an energy plan that truly lowers prices at the pump, reduces our dependence on foreign oil, and makes real progress towards energy independence. Instead of increasing our dependence on OPEC, America needs to return energy production to the United States. Doing so will create American jobs and provide needed economic stability and transportation that's efficient and usable to our American taxpayer.

The answer to our current energy crisis must be multi-pronged, and I have cosponsored legislation to provide incentives along those lines for solar, wind, cellulosic ethanol, biodiesel and other green alternatives. We must increase domestic energy production through carbon-free nuclear power and clean coal technology as well. I'm also cosponsoring legislation that would encourage conservation with tax credits for green buildings and legislation that would spark a revolution in clean hydrogen technology.

There are many sources where we can move toward if we're willing to dig down deep and do what's necessary and walk away from those unnecessarily strong, critical, excessive environmental forces that don't speak to the welfare of this great country.

Today, I introduced a discharge petition, something that isn't done regularly in Congress, something that isn't successful regularly but has been. I trust that this discharge motion will be. As of this point in time, with just a few hours with that discharge motion being on the floor, 93 of my colleagues

have signed on, moving toward the 218 that are necessary.

This petition, if effective with 218 signatures, will force a vote on Congressman Mac Thornberry's No More Excuses Energy Act, an Act suitably entitled, legislation to increase U.S. energy production and invest in alternative sources of energy as well.

This appropriately named legislation would impact the price at the pump and lower electric bills. It would encourage the construction of new refineries, boost alternative energy, supplemental energy development by extending the wind production tax credit for 10 years, giving some certainty that if I were to invest in wind energy production, I would have a reasonable amount of time to see a return on my investment.

It would increase American oil production by allowing environmentally sound drilling in Alaska, the Outer Continental Shelf and the Gulf of Mexico, and it would help increase our supply of electricity by encouraging the construction of new nuclear power plants. Even leaders, in fact, one of the founders of Greenpeace, have come out strongly encouraging the use of nuclear power as being clean, green energy, not given over to continuing production of greenhouse gases.

Rather than increase taxes on domestic energy production, as some in Congress have proposed, I'm working to pass sound legislation that will bring down the price of gas and reduce our dependence on Middle East oil. Legislation like the No More Excuses Energy Act of MAC THORNBERRY would increase the supply of American energy and increase the number of good paying jobs in this country and in my district, the Seventh District of Michigan.

Policies such as a 23-year moratorium on exploring and developing offshore production of clean and green natural gas need to be lifted in order to lower prices and reduce our dependence on foreign gas. Natural gas provides 23 percent of our Nation's energy. It should be more. And America is the only developed Nation that prohibits offshore production and exploration of this clean, green, clean burning resource, and Americans are paying higher electricity and heating bills as a result of this.

Like all of you, I'm tired of paying these high prices. Whether it's for my motorcycle, whether it's for my car or whether it's for my pick-up truck, I'm tired of paying this because it's unnecessary, as we've done nothing to change that except talk, and it's time to put action into place.

I know high prices are affecting all of us. This is unacceptable. It is unacceptable for America to put up with this. The good people of south central Michigan, the good people of Michigan, the good people of the rest of the States in this wonderful country who depend on gasoline or diesel to get to work, drive their kids to baseball practice and visit family members deserve better.

The volunteers who offer to drive veterans to VA hospitals in my district and other districts in other States deserve better.

The volunteers who offer to drive Meals on Wheels to needy senior citizens deserve better than this.

Our churches and synagogues, our places of worship all across this great country that will be looking at looming fuel bills that many will be unable to pay this coming heating season deserve better than this because America doesn't need to be in this situation.

So I'm delighted that tonight I'm joined by a number of my colleagues who will add to what has been stated already, probably more eloquently, with points of experience that come from all over this country. I appreciate their commitment to doing something more than talking about energy independence, doing something more than talking about resuming America's position of leading the world in all areas, including the area of energy production and usage.

We have blessed the world with our standard of living, with our technology and with our energy, and it is time to get about that project again.

So at this time, I would like to ask my good friend and colleague from Georgia, Dr. PAUL BROUN, to add to what has been said. I appreciate you taking the time to be with us this evening.

Mr. BROUN of Georgia. I thank my colleague.

According to AAA, the average American is paying over \$4.04 per gallon of gasoline today. Meanwhile, Communist China and Fidel Castro's Communist Cuba are moving forward with drilling for oil and gas just 45 miles off of the coast of Florida and Key West.

We cannot even drill for oil or gas 200 miles off our own shores; yet congressional Democrats continue to refuse to allow access to American gas and oil supplies. The average price of gasoline has gone up \$1.71 per gallon since Speaker PELOSI's promise, promise, to lower energy prices at the beginning of the 110th Congress, this Congress.

What have the Democrats done to try to help hardworking Americans? They're simply seeking political gain from America's pain. Democratic Presidential candidate Barack Obama said he wants to impose more taxes on U.S. oil companies. Is that really a smart solution? This will only drive up prices on Americans, not just for gasoline but for every product or service purchased. Even worse is that foreign oil companies will not be subject to this joke of a solution.

The liberals propose raising the Federal tax on gasoline and diesel by 50 cents per gallon. This is on top of the already existing Federal tax of 18.4 cents per gallon for gasoline and 24.4 cents per gallon for diesel. Under this proposal, you will be paying at today's prices \$4.54 a gallon for gas.

Liberals also suggest mandating ethanol and renewable fuel production and

selling it as the answer to America's energy needs. The 2007 lack of energy bill has already proven that the Democratic solution is wrong. Mandating the production of renewable fuels has only led to an increase in world food prices.

□ 1945

It is, at best, disingenuous, and at worst, an outright lie to say that renewable fuels can meet America's needs in the near future. As a good southerner, I love my corn bread and grits. It makes no sense to put corn in the tank of my truck.

The Department of the Interior estimates that there are 112 billion particles of recoverable oil beneath U.S. Federal lands and coastal waters, enough oil to fuel 60 million cars for 60 years. The United States is the only nation in the world that forbids any production on its Outer Continental Shelf. Despite a decades-long record of environmentally responsible offshore production, over 80 percent of America's oil and natural gas resources on the Outer Continental Shelf are completely off limits to exploration and production.

The OCS, Outer Continental Shelf, is estimated to hold at least 419 trillion cubic feet of recoverable natural gas resources and 86 billion barrels of oil. To put it in simple terms, this is enough natural gas to heat 100 million homes for 60 years, and enough oil to drive 85 million cars for 35 years, and enough oil to completely replace current Middle Eastern oil imports for 59 years.

We've heard time and time again about how drilling off the OCS will harm the environment. This is hogwash. Hurricanes Katrina and Rita destroyed or damaged hundreds of drilling rigs without causing a single drop to be spilled, yet congressional Democrats continue to pander to far left environmentalists instead of mending the pains of hardworking Americans.

Liberals also prevent any access to billions of barrels of oil located in ANWR. The entire area of ANWR is larger than the combined areas of five States—Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware—yet the proposed drilling area is equal to one-sixth the size of Dulles Airport here in Washington, D.C.

Energy prices are soaring. And the financial pain that families are feeling at the pump is forcing them to decide what they can and cannot spend. Congressional Democrats act as if they have been living under a rock by continuing to ignore the demands of the American people and refusing to do anything to lower these burdensome prices.

Skyrocketing gas prices and a risky dependence on fuel supply by volatile foreign nations highlight our need for an American energy policy that emphasizes production and decreases our reliance on Middle Eastern oil.

The United States is the only nation on Earth that forbids development of

its own natural resources. Right now, America is drilling for ice on Mars, but we cannot drill for oil in America. This makes no sense. It's crazy. It's idiotic. We must drill on our own lands, and we must drill now. We must streamline the permitting process and the refinery processes to get new refineries online, and we must end our dependence on Middle Eastern oil.

Mr. WALBERG, I greatly appreciate your doing this tonight; it is absolutely critical. I'm a medical doctor, as you know. I have patients who have to decide whether they can go to the doctor or not because gasoline prices are so high. I have patients who have to decide whether they can put a tank of gas in their car or they can go buy medications. This has to end. And we can do something about it. We can do something about it now if we have a responsible energy policy.

Our conference, as you know, has put forth a plan, a reasonable plan, an economically viable plan, an environmentally sensitive plan, a plan that will end this dependence upon Middle Eastern oil. It's a plan where we can provide the energy sources, not only our oil resources, but provide electric resources by permitting nuclear energy.

We have not built a new refinery in America for 30 years. We have not built a new nuclear reactor in 25 years. This is nuts, it's absolutely crazy. And we've got to end this idiocy of this current policy.

I applaud what you're doing here tonight. I look forward to further discussion from our other colleagues. I know that we have colleagues that want to ask questions and want to engage in a colloquy, if that's agreeable with you.

Mr. WALBERG. Well, Congressman BROUN, I think we want to do that. And I think you've brought up some points that are interesting to think about. Not only do we have a governor riding a bicycle to the Capitol, we are exploring for ice on Mars, but not doing exploration for oil—that we know is there—

Mr. BROUN of Georgia. That's right, it's just nuts.

Mr. WALBERG. In Alaska, in ANWR.

Mr. BROUN of Georgia. Anywhere. We've got oil under South Dakota, North Dakota and Montana. Those three States evidently are just floating on a sea of oil. There is supposed to be more oil, from what I understand, than is in the Middle East.

We can end our dependence on these foreign nations that want to destroy us, that want to destroy America. They hate us. And we're fueling the insurgency in Iraq. We're fueling these people who hate us. They hate our freedom, they hate America, they hate everything that we stand for.

Mr. WALBERG. And for those nations that love America and appreciate America, we're not standing in a

strengthened position that we can afford to them the assurance that America will be there when necessary because we can take care of ourselves, we're independent. And I think those are issues you bring up.

I'm delighted that we have the Dean of the Michigan delegation here, Congressman FRED UPTON, who has been here through a lot and I'm sure has taken a lot of grief on this issue.

And Congressman UPTON, before I turn to you, let me just, for the record, state, as you and some of my longer serving Republican colleagues are chastised for not getting this done in the House, you have attempted to get it done on numerous occasions. If we look back at the last decade, by the numbers, votes on ANWR exploration: House Republicans, 91 percent support it; House Democrats, 86 percent opposed.

Coal-to-liquid: House Republicans, 97 percent support it; House Democrats, 78 percent opposed. Oil shale exploration: House Republicans, 90 percent supported every vote on that in the House; House Democrats, 86 percent opposed.

Moving to the Outer Continental Shelf exploration, where right now foreign countries like Japan, China and Mexico are within 44-50 miles of our shores, and they are drilling and taking out natural gas and oil. On these votes, House Republicans, 81 percent support it; House Democrats, 83 percent opposed.

And then finally, refinery increased capacity, and now that we're offering the "no-more-excuses" Energy Act, the opportunity to put them on abandoned military facilities, government lands, House Republicans, 97 percent support it; House Democrats, 96 percent opposed.

Who is willing to take action? Who has evidenced that by their votes in this great body, this House of Representatives? Republicans, 91 percent, when you put it all together, of House Republicans have historically voted to increase the production of American-made oil and gas while 86 percent of House Democrats have historically voted against increasing the production of American-made oil and gas.

And so why do we see an "energy-less" energy bill that you talked about that gives incentives for bicycle riding and not energy? I think we have to say it's a leadership problem. So I thank you for bringing up those points.

Congressman UPTON, from my home State of Michigan, I want to turn it over to you as well for a little perspective.

Mr. UPTON. Well, I thank my good friend from my neighboring district. And I am pleased to join you tonight and my colleagues from Georgia here and Texas now as well. I'd like to just make a couple of points.

First of all, I'm not on your list of 93 that signed that discharge petition, but that's because the line was too long. I hope that I can be there tomorrow

when we're on the floor for votes, because you have to do that, of course—as any student knows of this Chamber—you have to sign the discharge petition in the well of the House. And when I was available to do that, the line was way too long. So hopefully tomorrow I will put you over 100 and get closer to the 218.

I want to say just a couple of things that perhaps haven't been said yet and enter into a dialogue with my good friend, Dr. GINGREY.

First of all, when we talk about Alaska, I did support drilling in Alaska multiple times over the last couple of years. It was adopted, actually, in the House and in the Senate with some bipartisan votes, and sadly, President Clinton vetoed that bill 10 years ago saying it's 10 years away. Well, here we are today.

We had a couple of very good provisions in that bill that were important; that all of the oil drilled in Alaska had to stay in the United States. It couldn't go to China, couldn't go to Korea or Japan, it had to come here. Of course that meant we would have to have the refining capability to do it as well. We also made it so that we limited it to no more than a couple thousand acres. And as the gentleman from Georgia indicated, that's about the size—for me, it's the size of Western Michigan University, not Dulles Airport—in an area that's the size of the State of South Carolina. So that's pretty small.

And of course what we know, too, is that if that oil can be drilled successfully, we can just build that tangent a little bit to the spine—you know, those of us from Michigan, you put your hand up like this. I can't quite do that with Alaska. But if this was Alaska, you only have to drill that pipeline to the spine, and then it comes down, and it's economical to do that. So that's number one.

Number two, you know, right now President Bush and other world leaders are talking to a number of the nations in Arab lands talking about what they can do to increase production. Because we all believe in supply and demand. And as the demand continues to rise, because the supply has stayed relatively stable, the price has only gone up over \$4 in my district and yours, and now across the country.

Well, how can we ask the Arabs to increase their production and we won't do it ourselves? We've said no to Alaska. We've said no to the offshore drilling off our west and east coasts and even parts of the Gulf of Mexico. Eighty-five percent of our coastline is off limits, and yet we know oil is there.

Let's look at different alternatives. One of the alternatives, of course, is the development of oil shale out west, where it's anticipated that there could be as much as 1.5 trillion barrels; don't quite have the procedures down right, it's a couple years away, but you've got to begin that process, to begin the permit process. Much of it is on Federal

land. No, I'm not talking about Yellowstone Park and our national parks, but in BLM land. And yet, on a vote that we had in this House last summer, by six votes we failed to allow the Department of the Interior to allow the first permits to be approved to allow the private sector to go out and explore for this oil shale—which we could develop, I would like to think, within a couple years, four to six, something along that line. But, in fact, a trillion and a half barrels are available.

We have to do more on conservation. I was one, coming from Michigan, a tough vote was increasing CAFE. You know that. We have to have the R&D, the research and development to help our auto companies develop the technologies that we, the consumers, want. And JOE KNOLLENBERG from our State has a great bill that does that that he unveiled just a couple weeks ago.

We have to do more on conservation, and a number of different steps that I know can be taken along that front.

But the bottom line is this: If we want the price to come down, we have to increase the supply. That means we have to get away from where we're drilling today. We have to look at new sites, new techniques, and in fact we can do something, I think, about that \$4 plus gasoline that all of us are pained to pay.

And if I could, I would like to yield to the gentleman from Georgia to talk a little bit about an issue that I know a little something about as well, and that is Section 526 up in Canada.

Mr. GINGREY. And I appreciate my colleague from Michigan—both of my colleagues from Michigan—and my colleague from Georgia. We've got a number of other Members here as well tonight.

But this issue that Mr. UPTON is talking about is Section 526, Section 526 of the Energy Independence and Security Act of 2007. Now, this is the bill, Mr. Speaker, that the Democratic majority passed back in February of 2007 that had in it this Section 526. It basically said this, my colleagues—and I hope that you all will listen very carefully to this because it's so crucial. Section 526 will not allow, it prohibits any agency of the Federal Government, our Federal Government, including our Department of Defense and including NASA, from utilizing any fuel source other than conventional fuel if it results in one nanogram increase in carbon footprint.

□ 2000

I am not talking about tonnage of CO₂. I am talking about any increase. So what my good friend from Michigan was talking about in regard to shale, s-h-a-l-e, shale is a solid product. It is a granular product. And we have, as FRED UPTON pointed out, Mr. Speaker, an abundance of that product out in the West. There are about five States. And I think Mr. UPTON said that it is estimated that you can get something like one and a half trillion, with a T,

one and a half trillion barrels of petroleum from that source.

But this section 526 that the Democratic majority put in their "no energy bill" back in February of 2007 means that we can't utilize that. We can't get that source increase of supply so that the prices will go down. And the reason I am so outraged about that, Mr. Speaker, is that tomorrow, on the floor, we will be doing the rule on the NASA reauthorization bill of 2008, the National Aeronautics and Space Administration. Well their price of fuel in the last 5 years, my colleagues, has gone up 400 percent from something like \$4.5 million to \$18.3 million. That is what NASA is having to pay on an annual basis for jet fuel.

And yet they are the very agency of the Federal Government that is doing research. A lot of the research that NASA has done, we all know, we have utilized in the private sector. There are many things. I can name several. But they are doing research on shale. They are doing research on tar sands. They are doing research on coal to liquid and carbon sequestration and sharing that information with the Department of Defense and the Department of the Air Force, which could save us a tremendous amount of money.

So I yield back to my colleague for a colloquy on this issue because it is so important and so timely.

Mr. UPTON. Well the gentleman is exactly correct. And let me just say one quick thing. When you look at oil shale and you look at tar sands, it takes a little bit of energy to then derive that oil from those bodies, the shale, the tar or the sand. Basically you have to heat it up. And for tar sands, the Canadians are producing literally one million barrels a day up in Alberta. And they are going to make that whether we are the buyer or not. To use the analogy of the Clampetts, and maybe they still have that technique back in Oklahoma and Texas, I see some of my colleagues, and I'll be careful, but the Clampetts, they put that pipe down and the oil came up. And it didn't take any energy to get it out of the ground.

Well it is different today. That easy energy is gone for the most part. So we have to do a lot of things. We have to inject carbon to bring it up. But in essence in Canada they have to have the heat to separate the oil from the sand, and then you have to refine it. And that takes a little bit more energy than the Clampetts, just to use that analogy.

Mr. GINGREY. This is just the kind of research, and the colleague is absolutely right, we all remember the movie, most of us have seen the movie.

Mr. UPTON. I am looking at the pages. I don't know if they know about the Clampetts or not. Do you know about the Clampetts? Have you heard?

Mr. WALBERG. As long as my colleagues don't yield and sing them the theme song.

Mr. UPTON. I am glad I didn't date myself.

Mr. GINGREY. Reclaiming your time. I am sure the pages don't remember the movie "Giant," but we all do, and how that oil just came bubbling up out of the ground. I believe that was in Texas. It may have been Oklahoma.

In any regard, what the gentleman from Michigan (Mr. UPTON) is saying is that these tar sands and shale, shale has to be mined. And then you have to go through a process, as he is saying, and you have to extract. And it is a little bit more difficult.

Again, we're about to reauthorize NASA in the next day or two. They are doing research on that very process now where they can get that petroleum, and I said to you 1.5 trillion barrels probably from the shale in our West, western part of the United States, and Mr. UPTON pointed out that these tar sands in Canada, it is estimated that it is probably another 1.5 trillion barrels of petroleum that we can get from that. And they are producing it in Canada. And they are selling it to somebody. And yet we can't utilize it. It absolutely makes no sense. As my colleague from Georgia said earlier, I think he used the word "idiotic," "insanity" or "crazy." He is right on all three points. But I will yield back to my colleague.

Mr. UPTON. If the gentleman would yield just briefly. The Canadians have said that they are going to increase production up in Alberta. They want to go to four to five million barrels a day. And they have the buyers. Let's face it. Wouldn't we rather have that pipeline come down to the Midwest and have us refine it here and be able to sell a cheaper product to Americans than have it come from overseas some place else? And if we're not going to buy it from them, and the Canadians told me this, they are going to build a pipeline out to the Pacific. They are going to put it on one of those big freighters. They're going to spend a lot of carbon going up into the air shipping it to someplace else, China, Korea, Japan or some place else. Let's have it come here. We'll actually save energy. We will help pollution wise in terms of reducing greenhouse gases from where it otherwise would have gone. And our consumers will be a lot better off.

And with that, I yield now to the gentleman from Georgia.

Mr. WALBERG. If my colleague could yield just a moment here on one point that ties into that. We heard yesterday from one of our Senate colleagues from a northern State, a northeastern State, say that what we ought to do is buy one million barrels a day from Saudi Arabia. That would reduce the cost at the pump by about 50 cents. Well 50 cents right now would be great. But why not take that from ANWR? We can get one million barrels per day from ANWR right now, we are told, at least that, if we are to take it from there, and not have to buy it from any other foreign country, have it shipped to us from any other foreign country, and use it exactly like you said down

here to make this great country run on its own fuel as opposed to buying from someplace else.

Mr. GINGREY. If my colleague from Michigan will yield, the whole issue here is when the Democrats passed this Energy Independence and Security Act some 17 months ago, the price of regular gasoline, as all my colleagues know, was about \$2.60 a gallon. Now, if Speaker PELOSI, at that particular time, or Leader HOYER felt that the price of gasoline at the pump was going to drop \$1.50, then maybe I could understand their emphasis on protecting the environment from any iota increase in carbon dioxide footprint or greenhouse gases.

But what has happened with their "no energy plan," unfortunately the price of gasoline has gone up about \$1.55 a gallon, and here we are looking at \$4, \$4 and a nickel now, and so we have to ask ourselves, what is the crisis? Is the crisis global warming? Or is the crisis bankruptcy of our country because of the price of energy? And people can't afford to buy gasoline. They can't afford to buy food. We are losing jobs to other countries. I think it is time to say to our majority party, for goodness' sakes, at least make in order the Gingrey amendment which would allow the administrator of NASA to have a waiver of section 526 and utilize some of these sources that Mr. UPTON and Mr. BROWN and others are talking about, getting that shale oil product from Canada. It just flows right down the pipeline. It is an easy flow, easy obtaining it. There is not a lot of hard work. It is the same thing with tar sands. And let NASA continue to do their research. Share it with the Department of Defense.

And I will make this one point to the gentleman from Michigan who is controlling the time, and then I will yield back so that others can weigh in, but do you know that in the year 2008 the Department of Defense is going to spend an additional, a delta, of \$9 billion on fuel because of price of gasoline right now? And I yield back.

Mr. WALBERG. I thank you for that and the points you make so clear.

I would like to yield back for a moment to my good friend from Georgia, since we have two Michiganders here and two Georgians now speaking, Dr. PAUL BROWN, for some additional comments, I know you have a point to make, before I go on to my good friend from Oklahoma.

Mr. BROWN of Georgia. Thank you, my friend, Mr. WALBERG. I just wanted to ask Mr. UPTON something before he left. You were mentioning that it takes some energy to produce this energy. And the people on the other side, the leadership on the other side has been promoting these alternative sources of fuel. Ethanol has been one. And you are on the Energy Committee I think, isn't that correct?

Mr. UPTON. Yes. The gentleman is correct.

Mr. BROWN of Georgia. Well tell me if it is true. I understand that to

produce ethanol today, particularly corn-based ethanol, it actually takes more energy to produce that corn-based ethanol than the ethanol itself produces. Is that correct?

Mr. UPTON. Well, there have been different studies showing different things in terms of what to count. One of the bills that I have cosponsored, it is actually a bipartisan bill, is to look at increasing ethanol from nonfood source, or noncorn, and there are a couple of bills to do that using switch grass and a number of different things. We are not quite there in the technology, but we are not too far away, within a couple of years. And I think we ought to be investing more on that type of technology so that we can take some of the pressure off these rising food prices. I represent Kellogg's as well, as does the gentleman in the well, Mr. WALBERG.

Mr. BROWN of Georgia. I am talking about corn-based ethanol because I am excited about switch grass and other sources of potential, and I believe we need to investigate any source of energy anywhere.

Mr. UPTON. Now that the price of oil has gotten up to \$135 a barrel, there is a lot of things that 1 month ago weren't economical to do. And that is why by putting more alternative fuels in the mix, we can have some downward pressure on the overall price of gasoline. And obviously ethanol is part of that mix, whether it be corn-based or nonfood items, and we need to explore those and see what we can do to put downward pressure on the overall price of gasoline.

Mr. BROWN of Georgia. I agree with that totally. The other thing is propane is a byproduct of the refinery process of gasoline as well as natural gas. And we already know that propane is an environmentally protective agent. And we have had, in the past, fleets of cars fueled by propane. I know at my hunting camp down in rural southwest Georgia, I have fueled my house down there in my hunting camp with propane. And I know a lot of people heat their homes with it. And most propane, from what I understand, is produced here in America and sold here in America.

So tapping into our oil sources would give us an additional source of energy that we are not getting today if my understanding is correct, and so we can further protect the environment by having more propane utilized in our own energy, as well as stop the production of carbon in the atmosphere that the environmentalists are so bent that it is causing global warming. And I am not so certain about that. I don't really think that is so.

Mr. UPTON. The gentleman makes a very good point. And I know there are other Members waiting patiently to speak. So I am going yield whatever time I have left to the gentleman from the great State of Michigan.

Mr. WALBERG. Congressman BROWN, you point out the fact that we have all

sorts of energy sources. And we ought to be using them and developing them.

I want to move to a good friend, colleague and leader in our conference from Oklahoma. Congressman COLE, I appreciate your joining us tonight. I know you have taken some ribbing already about Oklahoma. I know you can handle it, but certainly I know our people would like to hear what you have to say about this issue.

Mr. COLE of Oklahoma. I thank my good friend from Michigan for yielding. And I thank him even more for conducting what is an important and enlightening educational experience for the people of our country about the reality of high fuel prices and what is behind it. You do take a little ribbing occasionally if you're from Oklahoma. But we think that is generally jealousy, except from our friends from Texas, who have a very similar view of the world to us.

But let me talk a little if I can about what the current state of play is in energy prices. Today as you have had up on your sign, the national average price for a gallon of gasoline is \$4.04. That is something I never thought I would live to see, and frankly, no American should have ever lived to see. You can now buy a barrel of light sweet crude for July delivery at \$131.31, a nice round number, nice even alliterative number. Currently in my State, Oklahoma's price at the pump, and we are producers, in some ways we will feel it even worse because we have been producing for over 100 years much more than we consume and exporting it to the rest of the country. And we are delighted to do that. But it is pretty tough when people in Oklahoma, a producing State that sacrificed, that frankly are delighted to have exploration and production, but they are paying \$3.83 a gallon.

In January of 2007 when this majority, this Democrat majority took office, the price per gallon was \$2.08 a gallon. That is a rise of \$1.75, an increase of over 80 percent.

□ 2015

The country as a whole has experienced very much the same thing. The average price since the Democratic majority has come into power has gone up \$1.67, an increase of 71 percent.

Now, that is not what our friends on the other side of the aisle expected to happen at all. As a matter of fact, let me read you a few quotes of what they told America as they came into the majority our energy future would be.

Our distinguished Speaker, Speaker PELOSI, said on April 18, 2006, "Democrats have a commonsense plan to help bring down the skyrocketing gas prices." She said a few days later, "The Democrats have a plan to lower gas prices."

Our distinguished Majority Leader STENY HOYER said on the 4th of April, 2005, "Democrats believe that we can do more for the American people who are struggling to deal with high gas

prices." I would love to "struggle" to pay \$2.08 a gallon. It would be a nice fight to have.

Our good friend and distinguished whip of the majority party, JIM CLYBURN, said, "House Democrats have a plan to help curb rising prices." That is on the 26th of July, 2006. If this is the plan, we want them to go back to the drawing board and reconsider where they are at.

Four times since they have taken the majority they have voted to increase energy taxes; to increase energy taxes. Now, even people that don't like the energy industry can usually say, well, gosh, if you increase the tax, won't they pass that along to us in the price? It is an incredible record.

Now, every single energy bill the majority wants to reach the floor has reached the floor. Most of them have passed this body. Some of them have gone all the way to the President and been signed. As I recall, I don't remember anybody who actually vetoed any energy legislation that has actually reached the President's desk. So what we are seeing really is the product of the majority's legislative agenda.

What haven't they let come to the floor? What commonsense solutions that most Americans support haven't come to the floor? I am just going to list a few of them, because, as my colleague knows, there are many of them.

Our colleague from Texas, MAC THORNBERRY, has a wonderful bill, the No More Excuses Energy Act, H.R. 3089, that literally covers the gambit of things we ought to be doing. Not just oil and gas, but nuclear, solar and wind. It incentivizes production. That is the lesson that our friends on the other side have forgotten, that supply is really important to cost. They simply seem to have no conception of that.

There is a wonderful bill by Mr. PITTS of Pennsylvania, H.R. 2279, that will expedite the construction of new refining capacity on closed military installations in the United States. These are installations that have been set aside. They are safe. They are secure. Why in the world wouldn't we want to refine the product? If we have to import it, we at least ought to get the value-added portion of refining it. It is a crime that we should ever import a refined product.

Our good friend Mr. BLUNT, H.R. 2493, has legislation that removes the fuel blend requirements and government mandates that contribute to unaffordable gas prices. We shouldn't have dozens and dozens of blends of gasoline. A few is enough.

Our good friend Mrs. MYRICK has H.R. 6108, Outer Continental Shelf Exploration, which grants coastal states the authority to grant exploration up to 100 miles from their coastlines and allows States to share in that revenue. A commonsense solution.

None of this legislation, and dozens more, have been allowed to come to the floor. My friends on the other side love to blame Republicans, President Bush

and the energy industry for these kinds of problems.

I just want to conclude quickly with a story. I do represent a district that is one of the top 20 energy producers in the United States, so we are more than doing our part. I convened about a year ago, actually before this extraordinary rise in prices, a group of independent energy people that have spent a lifetime trying to provide energy to this country.

I asked them, "Give me your suggestions. What can we do to increase the supply and stabilize and hopefully lower the price of a gallon of gasoline or heating fuel or electricity?" They thought, and they had a lot of great solutions.

They said, "Let's go drill in ANWR, in Alaska. That would be a wonderful thing." By the way, my good friend Mr. YOUNG has a superb piece of legislation on that, H.R. 6107, that would actually allow us to drill there and invest some of the severance revenue in alternative energy supplies so we could both meet an immediate need and start looking for alternatives.

But they suggested that. I said, "Well, you know, I am for that. I voted for that. The Republican majority passed it four times in the House and couldn't get it through the Senate because of Democratic obstruction, so we probably can't get it done."

Then they said, "Let's do more exploration and production offshore. We have seen Katrina. That has worked well in terms of no spillage. We know we had 25 percent of our supply in the Gulf of Mexico. We could do more." I said, "Well, I am for that, but we can't do that either."

Then they asked about additional refining capacity, and they asked about expediting permitting on non-park Federal lands. They just went through a litany of things. Alternative energy. Each one I would say yes, I am for that, but we can't get that through, particularly a Democratic Congress.

Finally at the end of this in frustration, one of my good friends said, "Well, why don't you go back and ask those other Members of Congress who are opposing these measures just how rich they want foreign countries to be? Just how much they want to pay the people overseas that we are importing this petroleum from, or this gas, when we could actually do the production here? Because they are exporting thousands of jobs, billions of dollars, and they are jeopardizing our security."

Then the guy added in fairness, he said, "By the way, we are all here giving you suggestions about how to lower the price of the product that we produce."

We have had a shameful exercise, in my opinion, in the last several days, particularly on the Senate side, where people that work to solve America's energy problems are brought in and interrogated as if they are the source of the problems, and the only frankly justification for that is the high prices.

But when those people respond, they say, "If you would just do the things we have asked you to do year after year after year, we could solve this problem."

So I am sorry I went on. You have been very generous with your time, and I appreciate that very much. But it is a frustrating problem when the solutions are sitting here waiting to be acted upon by this House and none of them are being dealt with at all.

Mr. WALBERG. I thank you for sharing that history. It is a good point to know what has been attempted and what hasn't been accomplished. But it would also give the opportunity for our constituents to voice their concerns now with factual information to say there are things you can do. Now get it done.

In the time remaining, I would like to turn a portion of that over to my good friend and colleague from Texas, bringing the southern States in now, Congressman RANDY NEUGEBAUER.

Mr. NEUGEBAUER. Well, I thank the gentleman from Michigan. I also want to thank the gentleman from Oklahoma, because he makes a very good point. And when he says we are importing thousands of dollars, actually it is billions of dollars. Every day America gets up and writes a check for \$1 billion-plus to buy enough energy to run this country for 1 day.

What does that mean? That means that it takes \$365 billion currently for America to buy enough energy just to run our country on an annual basis, \$1 billion every day. And do you know what? Unfortunately, some of that money is going to some folks that aren't all that friendly to the American people. One of those people is Hugo Chavez.

I want to read you what Hugo Chavez thinks about America. He said, "What we do regarding the imperialist power of the United States, we have no choice but to unite. We use oil in our war against neo-liberalism." He also said, "We have invaded the United States, but with our oil."

So every day as the American people go to the pumps all across America, what I want them to visualize is that every day we write Hugo Chavez, who calls us imperialists, a \$170 million check. That is \$62 billion a year. What would happen if we could invest \$1 billion a day in America developing America's energy resources, creating jobs for Americans? Think about it. Instead of writing Hugo Chavez a check for \$172 million, that we write America a check for \$172 million?

I think of the people I know in the 19th Congressional District of Texas, which is a big district, 29,000 square miles, 27 counties, teachers having to drive 60, 70 miles a day to go and teach our young people, that now are looking at doubling the cost of making that commute across the district.

I think about the man last night that I was talking to in my district. He said, "Congressman," he said, "I have to

drive three times a week 30 miles each way to get dialysis so that I can be treated for diabetes." He said, "Congressman, I am down to the point now of having to choose whether I can afford dialysis, afford gasoline, or afford food."

Madam Speaker, it is time to say yes. We have heard you say no; no to new drilling, no to building additional power plants in this country; no to new refineries. America is wanting you to say yes, because America is tired of writing checks to Hugo Chavez for \$160 million every day.

I thank my friend from Michigan tonight for hosting this hour. I hope that somehow the American people realize that there is a willingness on behalf of many Members of Congress to say yes and to move forward and to do something proactive, instead of doing something that is called nothing.

Mr. WALBERG. I thank my good friend and colleague from Texas for ending it on a point that is poignant, that reminds us what this really costs. I wish we could go on and on tonight to bring out more points like this. This is critical. It is a security issue, as well as a point of life, and you made it very clear. I don't want to write a check for \$170 million to Hugo Chavez. Let's get it done.

RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. KUCINICH. Madam Speaker, I rise to a question of the privileges of the House and offer the impeachment resolution noticed last evening.

The SPEAKER pro tempore (Ms. RICHARDSON). The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 1258

Resolved, That President George W. Bush be impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, in maintenance and support of its impeachment against President George W. Bush for high crimes and misdemeanors.

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has committed the following abuses of power.

ARTICLE I.—CREATING A SECRET PROPAGANDA CAMPAIGN TO MANUFACTURE A FALSE CASE FOR WAR AGAINST IRAQ

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution

of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, illegally spent public dollars on a secret propaganda program to manufacture a false cause for war against Iraq.

The Department of Defense (DOD) has engaged in a years-long secret domestic propaganda campaign to promote the invasion and occupation of Iraq. This secret program was defended by the White House Press Secretary following its exposure. This program follows the pattern of crimes detailed in Article I, II, IV and VIII. The mission of this program placed it within the field controlled by the White House Iraq Group (WHIG), a White House task-force formed in August 2002 to market an invasion of Iraq to the American people. The group included Karl Rove, I. Lewis Libby, Condoleezza Rice, Karen Hughes, Mary Matalin, Stephen Hadley, Nicholas E. Calio, and James R. Wilkinson.

The WHIG produced white papers detailing so-called intelligence of Iraq's nuclear threat that later proved to be false. This supposed intelligence included the claim that Iraq had sought uranium from Niger as well as the claim that the high strength aluminum tubes Iraq purchased from China were to be used for the sole purpose of building centrifuges to enrich uranium. Unlike the National Intelligence Estimate of 2002, the WHIG's white papers provided "gripping images and stories" and used "literary license" with intelligence. The WHIG's white papers were written at the same time and by the same people as speeches and talking points prepared for President Bush and some of his top officials.

The WHIG also organized a media blitz in which, between September 7-8, 2002, President Bush and his top advisers appeared on numerous interviews and all provided similarly gripping images about the possibility of nuclear attack by Iraq. The timing was no coincidence, as Andrew Card explained in an interview regarding waiting until after Labor Day to try to sell the American people on military action against Iraq, "From a marketing point of view, you don't introduce new products in August."

September 7-8, 2002:

NBC's "Meet the Press: Vice President Cheney accused Saddam of moving aggressively to develop nuclear weapons over the past 14 months to add to his stockpile of chemical and biological arms.

CNN: Then-National Security Adviser Rice said, regarding the likelihood of Iraq obtaining a nuclear weapon, "We don't want the smoking gun to be a mushroom cloud."

CBS: President Bush declared that Saddam was "six months away from developing a weapon," and cited satellite photos of construction in Iraq where weapons inspectors once visited as evidence that Saddam was trying to develop nuclear arms.

The Pentagon military analyst propaganda program was revealed in an April 20, 2002, New York Times article. The program illegally involved "covert attempts to mold opinion through the undisclosed use of third parties." Secretary of Defense Donald Rumsfeld recruited 75 retired military officers and gave them talking points to deliver on Fox, CNN, ABC, NBC, CBS, and MSNBC, and according to the New York Times report, which has not been disputed by the Pentagon or the White House, "Participants were instructed not to quote their briefers directly or otherwise describe their contacts with the Pentagon."

According to the Pentagon's own internal documents, the military analysts were considered "message force multipliers" or "sur-

rogates" who would deliver administration "themes and messages" to millions of Americans "in the form of their own opinions." In fact, they did deliver the themes and the messages but did not reveal that the Pentagon had provided them with their talking points. Robert S. Bevelacqua, a retired Green Beret and Fox News military analyst described this as follows: "It was them saying, 'We need to stick our hands up your back and move your mouth for you.'"

Congress has restricted annual appropriations bills since 1951 with this language: "No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress."

A March 21, 2005, report by the Congressional Research Service states that "publicity or propaganda" is defined by the U.S. Government Accountability Office (GAO) to mean either (1) self-aggrandizement by public officials, (2) purely partisan activity, or (3) "covert propaganda."

These concerns about "covert propaganda" were also the basis for the GAO's standard for determining when government-funded video news releases are illegal:

"The failure of an agency to identify itself as the source of a prepackaged news story misleads the viewing public by encouraging the viewing audience to believe that the broadcasting news organization developed the information. The prepackaged news stories are purposefully designed to be indistinguishable from news segments broadcast to the public. When the television viewing public does not know that the stories they watched on television news programs about the government were in fact prepared by the government, the stories are, in this sense, no longer purely factual—the essential fact of attribution is missing."

The White House's own Office of Legal Council stated in a memorandum written in 2005 following the controversy over the Armstrong Williams scandal:

"Over the years, GAO has interpreted 'publicity or propaganda' restrictions to preclude use of appropriated funds for, among other things, so-called 'covert propaganda.' . . . Consistent with that view, the OLC determined in 1988 that a statutory prohibition on using appropriated funds for 'publicity or propaganda' precluded undisclosed agency funding of advocacy by third-party groups. We stated that 'covert attempts to mold opinion through the undisclosed use of third parties' would run afoul of restrictions on using appropriated funds for 'propaganda.'"

Asked about the Pentagon's propaganda program at White House press briefing in April 2008, White House Press Secretary Dana Perino defended it, not by arguing that it was legal but by suggesting that it "should" be: "Look, I didn't know look, I think that you guys should take a step back and look at this look, DOD has made a decision, they've decided to stop this program. But I would say that one of the things that we try to do in the administration is get information out to a variety of people so that everybody else can call them and ask their opinion about something. And I don't think that that should be against the law. And I think that it's absolutely appropriate to provide information to people who are seeking it and are going to be providing their opinions on it. It doesn't necessarily mean that all of those military analysts ever agreed with the administration. I think you can go back and look and think that a lot of their analysis was pretty tough on the administration. That doesn't mean that we shouldn't talk to people."

In all of these actions and decisions, President George W. Bush has acted in a manner

contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE II.—FALSELY, SYSTEMATICALLY, AND WITH CRIMINAL INTENT CONFLATING THE ATTACKS OF SEPTEMBER 11, 2001 WITH MISREPRESENTATION OF IRAQ AS AN IMMINENT SECURITY THREAT AS PART OF A FRAUDULENT JUSTIFICATION FOR A WAR OF AGGRESSION.

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, executed a calculated and wide-ranging strategy to deceive the citizens and Congress of the United States into believing that there was and is a connection between Iraq and Saddam Hussein on the one hand, and the attacks of September 11, 2001 and al Qaeda, on the other hand, so as to falsely justify the use of the United States Armed Forces against the nation of Iraq in a manner that is damaging to the national security interests of the United States, as well as to fraudulently obtain and maintain congressional authorization and funding for the use of such military force against Iraq, thereby interfering with and obstructing Congress's lawful functions of overseeing foreign affairs and declaring war.

The means used to implement this deception were and continue to be, first, allowing, authorizing and sanctioning the manipulation of intelligence analysis by those under his direction and control, including the Vice President and the Vice President's agents, and second, personally making, or causing, authorizing and allowing to be made through highly-placed subordinates, including the President's Chief of Staff, the White House Press Secretary and other White House spokespersons, the Secretaries of State and Defense, the National Security Advisor, and their deputies and spokespersons, false and fraudulent representations to the citizens of the United States and Congress regarding an alleged connection between Saddam Hussein and Iraq, on the one hand, and the September 11th attacks and al Qaeda, on the other hand, that were half-true, literally true but misleading, and/or made without a reasonable basis and with reckless indifference to their truth, as well as omitting to state facts necessary to present an accurate picture of the truth as follows:

(A) On or about September 12, 2001, former terrorism advisor Richard Clarke personally informed the President that neither Saddam Hussein nor Iraq was responsible for the September 11th attacks. On September 18, Clarke submitted to the President's National Security Adviser Condoleezza Rice a memo he had written in response to George W. Bush's specific request that stated: (1) the case for linking Hussein to the September 11th attacks was weak; (2) only anecdotal evidence linked Hussein to al Qaeda; (3) Osama Bin Laden resented the secularism of Saddam Hussein; and (4) there was no confirmed reporting of Saddam Hussein cooperating with Bin Laden on unconventional weapons.

(B) Ten days after the September 11th attacks the President received a President's

Daily Briefing which indicated that the U.S. intelligence community had no evidence linking Saddam Hussein to the September 11th attacks and that there was "scant credible evidence that Iraq had any significant collaborative ties with Al Qaeda."

(C) In Defense Intelligence Terrorism Summary No. 044-02, issued in February 2002, the United States Defense Intelligence Agency cast significant doubt on the possibility of a Saddam Hussein-Al Qaeda conspiracy: "Saddam's regime is intensely secular and is wary of Islamic revolutionary movements. Moreover, Baghdad is unlikely to provide assistance to a group it cannot control."

(D) The October 2002 National Intelligence Estimate gave a "Low Confidence" rating to the notion of whether "in desperation Saddam would share chemical or biological weapons with Al Qaeda." The CIA never informed the President that there was an operational relationship between Al Qaeda and Saddam Hussein; on the contrary, its most "aggressive" analysis contained in Iraq and al-Qaeda-Interpreting a "Murky Relationship" dated June 21, 2002 was that Iraq had had "sporadic, wary contacts with al Qaeda since the mid-1990s rather than a relationship with al Qaeda that has developed over time."

(E) Notwithstanding his knowledge that neither Saddam Hussein nor Iraq was in any way connected to the September 11th attacks, the President allowed and authorized those acting under his direction and control, including Vice President Richard B. Cheney and Lewis Libby, who reported directly to both the President and the Vice President, and Secretary of Defense Donald Rumsfeld, among others, to pressure intelligence analysts to alter their assessments and to create special units outside of, and unknown to, the intelligence community in order to secretly obtain unreliable information, to manufacture intelligence or reinterpret raw data in ways that would further the Bush administration's goal of fraudulently establishing a relationship not only between Iraq and al Qaeda, but between Iraq and the attacks of September 11th.

(F) Further, despite his full awareness that Iraq and Saddam Hussein had no relationship to the September 11th attacks, the President, and those acting under his direction and control have, since at least 2002 and continuing to the present, repeatedly issued public statements deliberately worded to mislead, words calculated in their implication to bring unrelated actors and circumstances into an artificially contrived reality thereby facilitating the systematic deception of Congress and the American people. Thus the public and some members of Congress, came to believe, falsely, that there was a connection between Iraq and the attacks of 9/11. This was accomplished through well-publicized statements by the Bush Administration which contrived to continually tie Iraq and 9/11 in the same statements of grave concern without making an explicit charge:

(1) "[If] Iraq regimes [sic] continues to defy us, and the world, we will move deliberately, yet decisively, to hold Iraq to account . . . It's a new world we're in. We used to think two oceans could separate us from an enemy. On that tragic day, September the 11th, 2001, we found out that's not the case. We found out this great land of liberty and of freedom and of justice is vulnerable. And therefore we must do everything we can—everything we can—to secure the homeland, to make us safe." Speech of President Bush in Iowa on September 16, 2002.

(2) "With every step the Iraqi regime takes toward gaining and deploying the most terrible weapons, our own options to confront that regime will narrow. And if an

emboldened regime were to supply these weapons to terrorist allies, then the attacks of September 11th would be a prelude to far greater horrors." March 6, 2003, Statement of President Bush in National Press Conference.

(3) "The battle of Iraq is one victory in a war on terror that began on September the 11, 2001—and still goes on. That terrible morning, 19 evil men—the shock troops of a hateful ideology—gave America and the civilized world a glimpse of their ambitions. They imagined, in the words of one terrorist, that September the 11th would be the 'beginning of the end of America.' By seeking to turn our cities into killing fields, terrorists and their allies believed that they could destroy this nation's resolve, and force our retreat from the world. They have failed." May 1, 2003, Speech of President Bush on U.S.S. *Abraham Lincoln*.

(4) "Now we're in a new and unprecedented war against violent Islamic extremists. This is an ideological conflict we face against murderers and killers who try to impose their will. These are the people that attacked us on September the 11th and killed nearly 3,000 people. The stakes are high, and once again, we have had to change our strategic thinking. The major battleground in this war is Iraq." June 28, 2007, Speech of President Bush at the Naval War College in Newport, Rhode Island.

(G) Notwithstanding his knowledge that there was no credible evidence of a working relationship between Saddam Hussein and Al Qaeda and that the intelligence community had specifically assessed that there was no such operational relationship, the President, both personally and through his subordinates and agents, has repeatedly falsely represented, both explicitly and implicitly, and through the misleading use of selectively-chosen facts, to the citizens of the United States and to the Congress that there was and is such an ongoing operational relationship, to wit:

(1) "We know that Iraq and al Qaeda have had high-level contacts that go back a decade. Some al Qaeda leaders who fled Afghanistan went to Iraq. These include one very senior al Qaeda leader who received medical treatment in Baghdad this year, and who has been associated with planning for chemical and biological attacks. We've learned that Iraq has trained al Qaeda members in bomb-making and poisons and deadly gases." September 28, 2002, Weekly Radio Address of President Bush to the Nation.

(2) "[W]e need to think about Saddam Hussein using al Qaeda to do his dirty work, to not leave fingerprints behind." October 14, 2002, Remarks by President Bush in Michigan.

(3) "We know he's got ties with al Qaeda." November 1, 2002, Speech of President Bush in New Hampshire.

(4) "Evidence from intelligence sources, secret communications, and statements by people now in custody reveal that Saddam Hussein aids and protects terrorists, including members of al Qaeda. Secretly, and without fingerprints, he could provide one of his hidden weapons to terrorists, or help them develop their own." January 28, 2003, President Bush's State of the Union Address.

(5) "[W]hat I want to bring to your attention today is the potentially much more sinister nexus between Iraq and the al Qaeda terrorist network, a nexus that combines classic terrorist organizations and modern methods of murder. Iraq today harbors a deadly terrorist network . . ." February 5, 2003, Speech of Former Secretary of State Colin Powell to the United Nations.

(6) "The battle of Iraq is one victory in a war on terror that began on September the 11, 2001—and still goes on. . . . [T]he libera-

tion of Iraq . . . removed an ally of al Qaeda." May 1, 2003, Speech of President Bush on U.S.S. *Abraham Lincoln*.

(H) The Senate Select Committee on Intelligence Report on Whether Public Statements Regarding Iraq By U.S. Government Officials Were Substantiated By Intelligence Information, which was released on June 5, 2008, concluded that:

(1) "Statements and implications by the President and Secretary of State suggesting that Iraq and al-Qaeda had a partnership, or that Iraq had provided al-Qaeda with weapons training, were not substantiated by the intelligence."

(2) "The Intelligence Community did not confirm that Muhammad Atta met an Iraqi intelligence officer in Prague in 2001 as the Vice President repeatedly claimed."

Through his participation and instance in the breathtaking scope of this deception, the President has used the highest office of trust to wage of campaign of deception of such sophistication as to deliberately subvert the national security interests of the United States. His dishonesty set the stage for the loss of more than 4000 United States service members; injuries to tens of thousands of soldiers, the loss of more than 1,000,000 innocent Iraqi citizens since the United States invasion; the loss of approximately \$527 billion in war costs which has increased our Federal debt and the ultimate expenditure of three to five trillion dollars for all costs covering the war; the loss of military readiness within the United States Armed Services due to overextension, the lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE III.—MISLEADING THE AMERICAN PEOPLE AND MEMBERS OF CONGRESS TO BELIEVE IRAQ POSSESSED WEAPONS OF MASS DESTRUCTION, SO AS TO MANUFACTURE A FALSE CASE FOR WAR

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, executed instead a calculated and wide-ranging strategy to deceive the citizens and Congress of the United States into believing that the nation of Iraq possessed weapons of mass destruction in order to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, thereby interfering with and obstructing Congress's lawful functions of overseeing foreign affairs and declaring war.

The means used to implement this deception were and continue to be personally making, or causing, authorizing and allowing to be made through highly-placed subordinates, including the President's Chief of Staff, the White House Press Secretary and other White House spokespersons, the Secretaries of State and Defense, the National Security Advisor, and their deputies and

spokespersons, false and fraudulent representations to the citizens of the United States and Congress regarding Iraq's alleged possession of biological, chemical and nuclear weapons that were half-true, literally true but misleading, and/or made without a reasonable basis and with reckless indifference to their truth, as well as omitting to state facts necessary to present an accurate picture of the truth as follows:

(A) Long before the March 19, 2003 invasion of Iraq, a wealth of intelligence informed the President and those under his direction and control that Iraq's stockpiles of chemical and biological weapons had been destroyed well before 1998 and that there was little, if any, credible intelligence that showed otherwise. As reported in the Washington Post in March of 2003, in 1995, Saddam Hussein's son-in-law Hussein Kamel had informed U.S. and British intelligence officers that "all weapons—biological, chemical, missile, nuclear were destroyed." In September 2002, the Defense Intelligence Agency issued a report that concluded: "A substantial amount of Iraq's chemical warfare agents, precursors, munitions and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and UNSCOM actions . . . [T]here is no reliable information on whether Iraq is producing and stockpiling chemical weapons or whether Iraq has—or will—establish its chemical warfare agent production facilities." Notwithstanding the absence of evidence proving that such stockpiles existed and in direct contradiction to substantial evidence that showed they did not exist, the President and his subordinates and agents made numerous false representations claiming with certainty that Iraq possessed chemical and biological weapons that it was developing to use to attack the United States, to wit:

(1) "[T]he notion of a Saddam Hussein with his great oil wealth, with his inventory that he already has of biological and chemical weapons . . . is, I think, a frightening proposition for anybody who thinks about it." Statement of Vice President Cheney on CBS's Face the Nation, March 24, 2002.

(2) "In defiance of the United Nations, Iraq has stockpiled biological and chemical weapons, and is rebuilding the facilities used to make more of those weapons." Speech of President Bush, October 5, 2002.

(3) "All the world has now seen the footage of an Iraqi Mirage aircraft with a fuel tank modified to spray biological agents over wide areas. Iraq has developed spray devices that could be used on unmanned aerial vehicles with ranges far beyond what is permitted by the Security Council. A UAV launched from a vessel off the American coast could reach hundreds of miles inland." Statement by President Bush from the White House, February 6, 2003.

(B) Despite overwhelming intelligence in the form of statements and reports filed by and on behalf of the CIA, the State Department and the IAEA, among others, which indicated that the claim was untrue, the President, and those under his direction and control, made numerous representations claiming and implying through misleading language that Iraq was attempting to purchase uranium from Niger in order to falsely buttress its argument that Iraq was reconstituting its nuclear weapons program, including:

(1) "The regime has the scientists and facilities to build nuclear weapons, and is seeking the materials needed to do so." Statement of President Bush from White House, October 2, 2002.

(2) "The [Iraqi] report also failed to deal with issues which have arisen since 1998, including: . . . attempts to acquire uranium and the means to enrich it." Letter from

President Bush to Vice President Cheney and the Senate, January 20, 2003.

(3) "The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa." President Bush Delivers State of the Union Address, January 28, 2003.

(C) Despite overwhelming evidence in the form of reports by nuclear weapons experts from the Energy, the Defense and State Departments, as well from outside and international agencies which assessed that aluminum tubes the Iraqis were purchasing were not suitable for nuclear centrifuge use and were, on the contrary, identical to ones used in rockets already being manufactured by the Iraqis, the President, and those under his direction and control, persisted in making numerous false and fraudulent representations implying and stating explicitly that the Iraqis were purchasing the tubes for use in a nuclear weapons program, to wit:

(1) "We do know that there have been shipments going . . . into Iraq . . . of aluminum tubes that really are only suited to—high-quality aluminum tools [sic] that are only really suited for nuclear weapons programs, centrifuge programs." Statement of then National Security Advisor Condoleezza Rice on CNN's Late Edition with Wolf Blitzer, September 8, 2002.

(2) "Our intelligence sources tell us that he has attempted to purchase high-strength aluminum tubes suitable for nuclear weapons production." President Bush's State of the Union Address, January 28, 2003.

(3) "[H]e has made repeated covert attempts to acquire high-specification aluminum tubes from 11 different countries, even after inspections resumed. . . . By now, just about everyone has heard of these tubes and we all know that there are differences of opinion. There is controversy about what these tubes are for. Most U.S. experts think they are intended to serve as rotors in centrifuges used to enrich uranium." Speech of Former Secretary of State Colin Powell to the United Nations, February 5, 2003.

(D) The President, both personally and acting through those under his direction and control, suppressed material information, selectively declassified information for the improper purposes of retaliating against a whistleblower and presenting a misleading picture of the alleged threat from Iraq, facilitated the exposure of the identity of a covert CIA operative and thereafter not only failed to investigate the improper leaks of classified information from within his administration, but also failed to cooperate with an investigation into possible federal violations resulting from this activity and, finally, entirely undermined the prosecution by commuting the sentence of Lewis Libby citing false and insubstantial grounds, all in an effort to prevent Congress and the citizens of the United States from discovering the fraudulent nature of the President's claimed justifications for the invasion of Iraq.

(E) The Senate Select Committee on Intelligence Report on Whether Public Statements Regarding Iraq By U.S. Government Officials Were Substantiated By Intelligence Information, which was released on June 5, 2008, concluded that:

(1) "Statements by the President and Vice President prior to the October 2002 National Intelligence Estimate regarding Iraq's chemical weapons production capability and activities did not reflect the intelligence community's uncertainties as to whether such production was ongoing."

(2) "The Secretary of Defense's statement that the Iraqi government operated underground WMD facilities that were not vulnerable to conventional airstrikes because they were underground and deeply buried was not

substantiated by available intelligence information."

(3) Chairman of the Senate Intelligence Committee Jay Rockefeller concluded: "In making the case for war, the Administration repeatedly presented intelligence as fact when in reality it was unsubstantiated, contradicted, or even non-existent. As a result, the American people were led to believe that the threat from Iraq was much greater than actually existed."

The President has subverted the national security interests of the United States by setting the stage for the loss of more than 4000 United States service members and the injury to tens of thousands of U.S. soldiers; the loss of more than 1,000,000 innocent Iraqi citizens since the United States invasion; the loss of approximately \$500 billion in war costs which has increased our Federal debt with a long term financial cost of between three and five trillion dollars; the loss of military readiness within the United States Armed Services due to overextension, the lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE IV.—MISLEADING THE AMERICAN PEOPLE AND MEMBERS OF CONGRESS TO BELIEVE IRAQ POSED AN IMMINENT THREAT TO THE UNITED STATES

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, executed a calculated and wide-ranging strategy to deceive the citizens and Congress of the United States into believing that the nation of Iraq posed an imminent threat to the United States in order to justify the use of the United States Armed Forces against the nation of Iraq in a manner damaging to our national security interests, thereby interfering with and obstructing Congress's lawful functions of overseeing foreign affairs and declaring war.

The means used to implement this deception were and continue to be, first, allowing, authorizing and sanctioning the manipulation of intelligence analysis by those under his direction and control, including the Vice President and the Vice President's agents, and second, personally making, or causing, authorizing and allowing to be made through highly-placed subordinates, including the President's Chief of Staff, the White House Press Secretary and other White House spokespersons, the Secretaries of State and Defense, the National Security Advisor, and their deputies and spokespersons, false and fraudulent representations to the citizens of the United States and Congress regarding an alleged urgent threat posed by Iraq, statements that were half-true, literally true but misleading, and/or made without a reasonable basis and with reckless indifference to their truth, as well as omitting to state facts necessary to present an accurate picture of the truth as follows:

(A) Notwithstanding the complete absence of intelligence analysis to support a claim that Iraq posed an imminent or urgent threat to the United States and the intelligence community's assessment that Iraq was in fact not likely to attack the United States unless it was itself attacked, President Bush, both personally and through his agents and subordinates, made, allowed and caused to be made repeated false representations to the citizens and Congress of the United States implying and explicitly stating that such a dire threat existed, including the following:

(1) "States such as these [Iraq, Iran and North Korea] and their terrorist allies constitute an axis of evil, arming to threaten the peace of the world. By seeking weapons of mass destruction, these regimes pose a grave and growing danger. They could provide these arms to terrorists, giving them the means to match their hatred. They could attack our allies or attempt to blackmail the United States. In any of these cases, the price of indifference would be catastrophic." President Bush's State of the Union Address, January 29, 2002.

(2) "Simply stated, there is no doubt that Saddam Hussein has weapons of mass destruction. He is amassing them to use against our friends, our enemies and against us." Speech of Vice President Cheney at VFW 103rd National Convention, August 26, 2002.

(3) "The history, the logic, and the facts lead to one conclusion: Saddam Hussein's regime is a grave and gathering danger. To suggest otherwise is to hope against the evidence. To assume this regime's good faith is to bet the lives of millions and the peace of the world in a reckless gamble. And this is a risk we must not take." Address of President Bush to the United Nations General Assembly, September 12, 2002.

(4) "[N]o terrorist state poses a greater or more immediate threat to the security of our people than the regime of Saddam Hussein and Iraq." Statement of Former Defense Secretary Donald Rumsfeld to Congress, September 19, 2002.

(5) "On its present course, the Iraqi regime is a threat of unique urgency . . . it has developed weapons of mass death." Statement of President Bush at White House, October 2, 2002.

(6) "But the President also believes that this problem has to be dealt with, and if the United Nations won't deal with it, then the United States, with other likeminded nations, may have to deal with it. We would prefer not to go that route, but the danger is so great, with respect to Saddam Hussein having weapons of mass destruction, and perhaps even terrorists getting hold of such weapons, that it is time for the international community to act, and if it doesn't act, the President is prepared to act with likeminded nations." Statement of Former Secretary of State Colin Powell in interview with Ellen Ratner of Talk Radio News, October 30, 2002.

(7) "Today the world is also uniting to answer the unique and urgent threat posed by Iraq. A dictator who has used weapons of mass destruction on his own people must not be allowed to produce or possess those weapons. We will not permit Saddam Hussein to blackmail and/or terrorize nations which love freedom." Speech by President Bush to Prague Atlantic Student Summit, November 20, 2002.

(8) "But the risk of doing nothing, the risk of the security of this country being jeopardized at the hands of a madman with weapons of mass destruction far exceeds the risk of any action we may be forced to take." President Bush Meets with National Economic Council at White House, February 25, 2003.

(B) In furtherance of his fraudulent effort to deceive Congress and the citizens of the

United States into believing that Iraq and Saddam Hussein posed an imminent threat to the United States, the President allowed and authorized those acting under his direction and control, including Vice President Richard B. Cheney, former Secretary of Defense Donald Rumsfeld, and Lewis Libby, who reported directly to both the President and the Vice President, among others, to pressure intelligence analysts to tailor their assessments and to create special units outside of, and unknown to, the intelligence community in order to secretly obtain unreliable information, to manufacture intelligence, or to reinterpret raw data in ways that would support the Bush administration's plan to invade Iraq based on a false claim of urgency despite the lack of justification for such a preemptive action.

(C) The Senate Select Committee on Intelligence Report on Whether Public Statements Regarding Iraq By U.S. Government Officials Were Substantiated By Intelligence Information, which was released on June 5, 2008, concluded that:

(1) "Statements by the President and the Vice President indicating that Saddam Hussein was prepared to give weapons of mass destruction to terrorist groups for attacks against the United States were contradicted by available intelligence information."

Thus the President willfully and falsely misrepresented Iraq as an urgent threat requiring immediate action thereby subverting the national security interests of the United States by setting the stage for the loss of more than 4,000 United States service members; the injuries to tens of thousands of U.S. soldiers; the deaths of more than 1,000,000 Iraqi citizens since the United States invasion; the loss of approximately \$527 billion in war costs which has increased our Federal debt and the ultimate costs of the war between three trillion and five trillion dollars; the loss of military readiness within the United States Armed Services due to overextension, the lack of training and lack of equipment; the loss of United States credibility in world affairs; and the decades of likely blowback created by the invasion of Iraq.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE V.—ILLEGALLY MISSPENDING FUNDS TO SECRETLY BEGIN A WAR OF AGGRESSION

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, illegally misspent funds to begin a war in secret prior to any Congressional authorization.

The president used over \$2 billion in the summer of 2002 to prepare for the invasion of Iraq. First reported in Bob Woodward's book, *Plan of Attack*, and later confirmed by the Congressional Research Service, Bush took money appropriated by Congress for Afghanistan and other programs and—with no Congressional notification—used it to build airfields in Qatar and to make other prepara-

tions for the invasion of Iraq. This constituted a violation of Article I, Section 9 of the U.S. Constitution, as well as a violation of the War Powers Act of 1973.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE VI.—INVADING IRAQ IN VIOLATION OF THE REQUIREMENTS OF H.J. RES. 114.

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", exceeded his Constitutional authority to wage war by invading Iraq in 2003 without meeting the requirements of H.J. Res. 114, the "Authorization for Use of Military Force Against Iraq Resolution of 2002" to wit:

(1) H.J. Res. 114 contains several Whereas clauses consistent with statements being made by the White House at the time regarding the threat from Iraq as evidenced by the following:

(A) H.J. Res. 114 states "Whereas Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations;"; and

(B) H.J. Res. 114 states "Whereas members of Al Qaeda, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;";

(2) H.J. Res. 114 states that the President must provide a determination, the truthfulness of which is implied, that military force is necessary in order to use the authorization, as evidenced by the following:

(A) Section 3 of H.J. Res. 114 states:

"(b) PRESIDENTIAL DETERMINATION.—In connection with the exercise of the authority granted in subsection (a) to use force the President shall, prior to such exercise or as soon thereafter as may be feasible, but no later than 48 hours after exercising such authority, make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against the continuing threat posed by Iraq nor (B) likely lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq; and

(2) acting pursuant to the Constitution and Public Law 107-243 is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001.

(4) President George Bush knew that these statements were false as evidenced by:

(A) INFORMATION PROVIDED WITH ARTICLE I, II, III, IV AND V.

(B) A statement by President George Bush in an interview with Tony Blair on January 31st 2003: [WH]

Reporter: "One question for you both. Do you believe that there is a link between Saddam Hussein, a direct link, and the men who attacked on September the 11th?"

President Bush: "I can't make that claim"

(C) An article on February 19th by Terrorism expert Rohan Gunaratna states "I could find no evidence of links between Iraq and Al Qaeda. The documentation and interviews indicated that Al Qaeda regarded Saddam, a secular leader, as an infidel." [InternationalHeraldTribune]

(D) According to a February 2nd, 2003 article in the New York Times: [NYT]

At the Federal Bureau of Investigation, some investigators said they were baffled by the Bush administration's insistence on a solid link between Iraq and Osama bin Laden's network. "We've been looking at this hard for more than a year and you know what, we just don't think it's there," a government official said.

(5) Section 3C of HJRes 114 states that "Nothing in this joint resolution supersedes any requirement of the War Powers Resolution."

(6) The War Powers Resolution Section 9(d)(1) states:

(d) Nothing in this joint resolution—

(1) is intended to alter the constitutional authority of the Congress or of the President, or the provision of existing treaties; or

(7) The United Nations Charter was an existing treaty and, as shown in Article VIII, the invasion of Iraq violated that treaty.

(8) President George Bush knowingly failed to meet the requirements of HJRes 114 and violated the requirement of the War Powers Resolution and, thereby, invaded Iraq without the authority of Congress.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE VII.—INVADING IRAQ ABSENT A DECLARATION OF WAR

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has launched a war against Iraq absent any congressional declaration of war or equivalent action.

Article I, Section 8, Clause 11 (the War Powers Clause) makes clear that the United States Congress holds the exclusive power to decide whether or not to send the nation into war. "The Congress," the War Powers Clause states, "shall have power . . . To declare war . . ."

The October 2002 congressional resolution on Iraq did not constitute a declaration of war or equivalent action. The resolution stated: "The President is authorized to use the Armed Forces of the United States as he deems necessary and appropriate in order to 1) defend the national security of the United States against the continuing threat posed by Iraq; and 2) enforce all relevant United Nations Security Council resolutions regarding Iraq." The resolution unlawfully sought

to delegate to the President the decision of whether or not to initiate a war against Iraq, based on whether he deemed it "necessary and appropriate." The Constitution does not allow Congress to delegate this exclusive power to the President, nor does it allow the President to seize this power.

In March 2003, the President launched a war against Iraq without any constitutional authority.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE VIII.—INVADING IRAQ, A SOVEREIGN NATION, IN VIOLATION OF THE UN CHARTER AND INTERNATIONAL CRIMINAL LAW

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", violated United States law by invading the sovereign country of Iraq in violation of the United Nations Charter to wit:

(1) International Laws ratified by Congress are part of United States Law and must be followed as evidenced by the following:

(A) Article VI of the United States Constitution, which states "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land;"

(2) The UN Charter, which entered into force following ratification by the United States in 1945, requires Security Council approval for the use of force except for self-defense against an armed attack as evidenced by the following:

(A) Chapter 1, Article 2 of the United Nations Charter states:

"3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

"4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

(B) Chapter 7, Article 51 of the United Nations Charter states:

"51. Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security."

(3) There was no armed attack upon the United States by Iraq.

(4) The Security Council did not vote to approve the use of force against Iraq as evidenced by:

(A) A United Nation Press release which states that the United States had failed to convince the Security Council to approve the use of military force against Iraq. [UN]

(5) President Bush directed the United States military to invade Iraq on March 19th, 2003 in violation of the UN Charter and, therefore, in violation of United States Law as evidenced by the following:

(A) A letter from President Bush to Congress dated March 21st, 2003 stating "I directed U.S. Armed Forces, operating with other coalition forces, to commence combat operations on March 19, 2003, against Iraq." [WH]

(B) On September 16, 2004 Kofi Annan, the Secretary General of the United Nations, speaking on the invasion, said, "I have indicated it was not in conformity with the UN charter. From our point of view, from the charter point of view, it was illegal." [BBC]

(C) The consequence of the instant and direction of President George W. Bush, in ordering an attack upon Iraq, a sovereign nation is in direct violation of United States Code, Title 18, Part 1, Chapter 118, Section 2441, governing the offense of war crimes.

(6) In the course of invading and occupying Iraq, the President, as Commander in Chief, has taken responsibility for the targeting of civilians, journalists, hospitals, and ambulances, use of antipersonnel weapons including cluster bombs in densely settled urban areas, the use of white phosphorous as a weapon, depleted uranium weapons, and the use of a new version of napalm found in Mark 77 firebombs. Under the direction of President George Bush the United States has engaged in collective punishment of Iraqi civilian populations, including but not limited to blocking roads, cutting electricity and water, destroying fuel stations, planting bombs in farm fields, demolishing houses, and plowing over orchards.

(A) Under the principle of "command responsibility", i.e., that a de jure command can be civilian as well as military, and can apply to the policy command of heads of state, said command brings President George Bush within the reach of international criminal law under the Additional Protocol I of June 8, 1977 to the Geneva Conventions of August 12, 1949, and Relating to the Protection of Victims of International Armed Conflicts, Article 86(2). The United States is a state signatory to Additional Protocol I, on December 12, 1977.

(B) Furthermore, Article 85(3) of said Protocol I defines as a grave breach making a civilian population or individual civilians the object of attacks. This offense, together with the principle of command responsibility, places President George Bush's conduct under the reach of the same law and principles described as the basis for war crimes prosecution at Nuremburg, under Article 6 of the Charter of the Nuremberg Tribunals: including crimes against peace, violations of the laws and customs of war and crimes against humanity, similarly codified in the Rome Statute of the International Criminal Court, Articles 5 through 8.

(C) The Lancet Report has established massive civilian casualties in Iraq as a result of the United States' invasion and occupation of that country.

(D) International laws governing wars of aggression are completely prohibited under the legal principle of jus cogens, whether or not a nation has signed or ratified a particular international agreement.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office

ARTICLE IX.—FAILING TO PROVIDE TROOPS WITH BODY ARMOR AND VEHICLE ARMOR

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United

States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed," has both personally and acting through his agents and subordinates, together with the Vice President, has been responsible for the deaths of members of the U.S. military and serious injury and trauma to other soldiers, by failing to provide available body armor and vehicle armor.

While engaging in an invasion and occupation of choice, not fought in self-defense, and not launched in accordance with any timetable other than the President's choosing, President Bush sent U.S. troops into danger without providing them with armor. This shortcoming has been known for years, during which time, the President has chosen to allow soldiers and marines to continue to face unnecessary risk to life and limb rather than providing them with armor.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE X.—FALSIFYING ACCOUNTS OF U.S. TROOP DEATHS AND INJURIES FOR POLITICAL PURPOSES

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed," has both personally and acting through his agents and subordinates, together with the Vice President, promoted false propaganda stories about members of the United States military, including individuals both dead and injured.

The White House and the Department of Defense (DOD) in 2004 promoted a false account of the death of Specialist Pat Tillman, reporting that he had died in a hostile exchange, delaying release of the information that he had died from friendly fire, shot in the forehead three times in a manner that led investigating doctors to believe he had been shot at close range.

A 2005 report by Brig. Gen. Gary M. Jones reported that in the days immediately following Specialist Tillman's death, U.S. Army investigators were aware that Specialist Tillman was killed by friendly fire, shot three times to the head, and that senior Army commanders, including Gen. John Abizaid, knew of this fact within days of the shooting but nevertheless approved the awarding of the Silver Star, Purple Heart, and a posthumous promotion.

On April 24, 2007, Spc. Bryan O'Neal, the last soldier to see Specialist Pat Tillman alive, testified before the House Oversight and Government Reform Committee that he was warned by superiors not to divulge information that a fellow soldier killed Specialist Tillman, especially to the Tillman family. The White House refused to provide requested documents to the committee, citing "executive branch confidentiality interests."

The White House and DOD in 2003 promoted a false account of the injury of Jessica Dawn Lynch, reporting that she had been captured in a hostile exchange and had

been dramatically rescued. On April 2, 2003, the DOD released a video of the rescue and claimed that Lynch had stab and bullet wounds, and that she had been slapped about on her hospital bed and interrogated. Iraqi doctors and nurses later interviewed, including Dr. Harith Al-Houssona, a doctor in the Nasirya hospital, described Lynch's injuries as "a broken arm, a broken thigh, and a dislocated ankle." According to Al-Houssona, there was no sign of gunshot or stab wounds, and Lynch's injuries were consistent with those that would be suffered in a car accident. Al-Houssona's claims were later confirmed in a U.S. Army report leaked on July 10, 2003.

Lynch denied that she fought or was wounded fighting, telling Diane Sawyer that the Pentagon "used me to symbolize all this stuff. It's wrong. I don't know why they filmed [my rescue] or why they say these things. . . . I did not shoot, not a round, nothing. I went down praying to my knees. And that's the last I remember." She reported excellent treatment in Iraq, and that one person in the hospital even sang to her to help her feel at home.

On April 24, 2007 Lynch testified before the House Committee on Oversight and Government Reform:

"[Right after my capture], tales of great heroism were being told. My parent's home in Wirt County was under siege of the media all repeating the story of the little girl Rambo from the hills who went down fighting. It was not true. . . . I am still confused as to why they chose to lie."

The White House had heavily promoted the false story of Lynch's rescue, including in a speech by President Bush on April 28, 2003. After the fiction was exposed, the President awarded Lynch the Bronze Star.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XI.—ESTABLISHMENT OF PERMANENT U.S. MILITARY BASES IN IRAQ

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed," has violated an act of Congress that he himself signed into law by using public funds to construct permanent U.S. military bases in Iraq.

On January 28, 2008, President George W. Bush signed into law the National Defense Authorization Act for fiscal year 2008 (H.R. 4986). Noting that the Act "authorizes funding for the defense of the United States and its interests abroad, for military construction, and for national security-related energy programs," the president added the following "signing statement":

"Provisions of the Act, including sections 841, 846, 1079, and 1222, purport to impose requirements that could inhibit the President's ability to carry out his constitutional obligations to take care that the laws be faithfully executed, to protect national security, to supervise the executive branch, and to execute his authority as Commander in Chief. The executive branch shall construe such provisions in a manner consistent with the constitutional authority of the President."

Section 1222 clearly prohibits the expenditure of money for the purpose of establishing permanent U.S. military bases in Iraq. The construction of over \$1 billion in U.S. military bases in Iraq, including runways for aircraft, continues despite congressional intent, as the Administration intends to force upon the Iraqi government such terms which will assure the bases remain in Iraq.

Iraqi officials have informed Members of Congress in May 2008 of the strong opposition within the Iraqi parliament and throughout Iraq to the agreement that the administration is trying to negotiate with Iraqi Prime Minister Nouri al-Maliki. The agreement seeks to assure a long-term U.S. presence in Iraq of which military bases are the most obvious, sufficient and necessary construct, thus clearly defying Congressional intent as to the matter and meaning of "permanency."

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XII.—INITIATING A WAR AGAINST IRAQ FOR CONTROL OF THAT NATION'S NATURAL RESOURCES

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed," has both personally and acting through his agents and subordinates, together with the Vice President, invaded and occupied a foreign nation for the purpose, among other purposes, of seizing control of that nation's oil.

The White House and its representatives in Iraq have, since the occupation of Baghdad began, attempted to gain control of Iraqi oil. This effort has included pressuring the new Iraqi government to pass a hydrocarbon law. Within weeks of the fall of Saddam Hussein in 2003, the U.S. Agency for International Development (USAID) awarded a \$240 million contract to Bearing Point, a private U.S. company. A Bearing Point employee, based in the U.S. embassy in Baghdad, was hired to advise the Iraqi Ministry of Oil on drawing up the new hydrocarbon law. The draft law places executives of foreign oil companies on a council with the task of approving their own contracts with Iraq; it denies the Iraqi National Oil Company exclusive rights for the exploration, development, production, transportation, and marketing of Iraqi oil, and allows foreign companies to control Iraqi oil fields containing 80 percent of Iraqi oil for up to 35 years through contracts that can remain secret for up to 2 months. The draft law itself contains secret appendices.

President Bush provided unrelated reasons for the invasion of Iraq to the public and Congress, but those reasons have been established to have been categorically fraudulent, as evidenced by the herein mentioned Articles of Impeachment I, II, III, IV, VI, and VII.

Parallel to the development of plans for war against Iraq, the U.S. State Department's Future of Iraq project, begun as early as April 2002, involved meetings in Washington and London of 17 working groups, each composed of 10 to 20 Iraqi exiles and international experts selected by the State

Department. The Oil and Energy working group met four times between December 2002 and April 2003. Ibrahim Bahr al-Uloum, later the Iraqi Oil Minister, was a member of the group, which concluded that Iraq "should be opened to international oil companies as quickly as possible after the war," and that, "the country should establish a conducive business environment to attract investment of oil and gas resources." The same group recommended production-sharing agreements with foreign oil companies, the same approach found in the draft hydrocarbon law, and control over Iraq's oil resources remains a prime objective of the Bush Administration.

Prior to his election as Vice President, Dick Cheney, then-CEO of Halliburton, in a speech at the Institute of Petroleum in 1999 demonstrated a keen awareness of the sensitive economic and geopolitical role of Middle East oil resources saying: "By 2010, we will need on the order of an additional 50 million barrels a day. So where is the oil going to come from? Governments and national oil companies are obviously controlling about 90 percent of the assets. Oil remains fundamentally a government business. While many regions of the world offer great oil opportunities, the Middle East, with two-thirds of the world's oil and lowest cost, is still where the prize ultimately lies. Even though companies are anxious for greater access there, progress continues to be slow."

The Vice President led the work of a secret energy task force, as described in Article XXXII below, a task force that focused on, among other things, the acquisition of Iraqi oil through developing a controlling private corporate interest in said oil.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XIII.—CREATING A SECRET TASK FORCE TO DEVELOP ENERGY AND MILITARY POLICIES WITH RESPECT TO IRAQ AND OTHER COUNTRIES

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has both personally and acting through his agents and subordinates, together with the Vice President, created a secret task force to guide our nation's energy policy and military policy, and undermined Congress' ability to legislate by thwarting attempts to investigate the nature of that policy.

A Government Accountability Office (GAO) Report on the Cheney Energy Task Force, in August 2003, described the creation of this task force as follows:

"In a January 29, 2001, memorandum, the President established NEPDG [the National Energy Policy Development Group]—comprised of the Vice President, nine cabinet-level officials, and four other senior administration officials—to gather information, deliberate, and make recommendations to the President by the end of fiscal year 2001. The President called on the Vice President to chair the group, direct its work and, as necessary, establish subordinate working groups to assist NEPDG."

The four "other senior administration officials were the Director of the Office of Man-

agement and Budget, the Assistant to the President and Deputy Chief of Staff for Policy, the Assistant to the President for Economic Policy, and the Deputy Assistant to the President for Intergovernmental Affairs.

The GAO report found that: "In developing the National Energy Policy report, the NEPDG Principals, Support Group, and participating agency officials and staff met with, solicited input from, or received information and advice from nonfederal energy stakeholders, principally petroleum, coal, nuclear, natural gas, and electricity industry representatives and lobbyists. The extent to which submissions from any of these stakeholders were solicited, influenced policy deliberations, or were incorporated into the final report cannot be determined based on the limited information made available to GAO. NEPDG met and conducted its work in two distinct phases: the first phase culminated in a March 19, 2001, briefing to the President on challenges relating to energy supply and the resulting economic impact; the second phase ended with the May 16, 2001, presentation of the final report to the President. The Office of the Vice President's (OVP) unwillingness to provide the NEPDG records or other related information precluded GAO from fully achieving its objectives and substantially limited GAO's ability to comprehensively analyze the NEPDG process, associated with that process."

"None of the key federal entities involved in the NEPDG effort provided GAO with a complete accounting of the costs that they incurred during the development of the National Energy Policy report. The two federal entities responsible for funding the NEPDG effort—OVP and the Department of Energy (DOE)—did not provide the comprehensive cost information that GAO requested. OVP provided GAO with 77 pages of information, two-thirds of which contained no cost information while the remaining one-third contained some miscellaneous information of little to no usefulness. OVP stated that it would not provide any additional information. DOE, the Department of the Interior, and the Environmental Protection Agency (EPA) provided GAO with estimates of certain costs and salaries associated with the NEPDG effort, but these estimates, all calculated in different ways, were not comprehensive."

In 2003, the Commerce Department disclosed a partial collection of materials from the NEPDG, including documents, maps, and charts, dated March 2001, of Iraq's, Saudi Arabia's and the United Arab Emirates' oil fields, pipelines, refineries, tanker terminals, and development projects.

On November 16, 2005, the Washington Post reported on a White House document showing that oil company executives had met with the NEPDG, something that some of those same executives had just that week denied in Congressional testimony. The Bush Administration had not corrected the inaccurate testimony.

On July 18, 2007, the Washington Post reported the full list of names of those who had met with the NEPDG.

In 1998 Kenneth Derr, then chief executive of Chevron, told a San Francisco audience, "Iraq possesses huge reserves of oil and gas, reserves I'd love Chevron to have access to." According to the GAO report, Chevron provided detailed advice to the NEPDG.

In March, 2001, the NEPDG recommended that the United States Government support initiatives by Middle Eastern countries "to open up areas of their energy sectors to foreign investment." Following the invasion of Iraq, the United States has pressured the new Iraqi parliament to pass a hydrocarbon law that would do exactly that. The draft law, if passed, would take the majority of

Iraq's oil out of the exclusive hands of the Iraqi Government and open it to international oil companies for a generation or more. The Bush administration hired Bearing Point, a U.S. company, to help write the law in 2004. It was submitted to the Iraqi Council of Representatives in May 2007.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XIV.—MISPRISON OF A FELONY, MISUSE AND EXPOSURE OF CLASSIFIED INFORMATION AND OBSTRUCTION OF JUSTICE IN THE MATTER OF VALERIE PLAME WILSON, CLANDESTINE AGENT OF THE CENTRAL INTELLIGENCE AGENCY

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President,

- (1) suppressed material information;
- (2) selectively declassified information for the improper purposes of retaliating against a whistleblower and presenting a misleading picture of the alleged threat from Iraq;
- (3) facilitated the exposure of the identity of Valerie Plame Wilson who had theretofore been employed as a covert CIA operative;
- (4) failed to investigate the improper leaks of classified information from within his administration;
- (5) failed to cooperate with an investigation into possible federal violations resulting from this activity; and
- (6) finally, entirely undermined the prosecution by commuting the sentence of Lewis Libby citing false and insubstantial grounds, all in an effort to prevent Congress and the citizens of the United States from discovering the deceitful nature of the President's claimed justifications for the invasion of Iraq.

In facilitating this exposure of classified information and the subsequent cover-up, in all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XV.—PROVIDING IMMUNITY FROM PROSECUTION FOR CRIMINAL CONTRACTORS IN IRAQ

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, established policies granting United States government contractors and their employees in Iraq immunity from Iraqi law, U.S. law, and international law.

Lewis Paul Bremer III, then-Director of Reconstruction and Humanitarian Assistance for post-war Iraq, on June 27, 2004, issued Coalition Provisional Authority Order Number 17, which granted members of the U.S. military, U.S. mercenaries, and other U.S. contractor employees immunity from Iraqi law.

The Bush Administration has chosen not to apply the Uniform Code of Military Justice or United States law to mercenaries and other contractors employed by the United States government in Iraq.

Operating free of Iraqi or U.S. law, mercenaries have killed many Iraqi civilians in a manner that observers have described as aggression and not as self-defense. Many U.S. contractors have also alleged that they have been the victims of aggression (in several cases of rape) by their fellow contract employees in Iraq. These charges have not been brought to trial, and in several cases the contracting companies and the U.S. State Department have worked together in attempting to cover them up.

Under the Fourth Geneva Convention, to which the United States is party, and which under Article VI of the U.S. Constitution is therefore the supreme law of the United States, it is the responsibility of an occupying force to ensure the protection and human rights of the civilian population. The efforts of President Bush and his subordinates to attempt to establish a lawless zone in Iraq are in violation of the law.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XVI.—RECKLESS MISSPENDING AND WASTE OF U.S. TAX DOLLARS IN CONNECTION WITH IRAQ CONTRACTORS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution “to take care that the laws be faithfully executed”, has both personally and acting through his agents and subordinates, together with the Vice President, recklessly wasted public funds on contracts awarded to close associates, including companies guilty of defrauding the government in the past, contracts awarded without competitive bidding, “cost-plus” contracts designed to encourage cost overruns, and contracts not requiring satisfactory completion of the work. These failures have been the rule, not the exception, in the awarding of contracts for work in the United States and abroad over the past seven years. Repeated exposure of fraud and waste has not been met by the president with correction of systemic problems, but rather with retribution against whistleblowers.

The House Committee on Oversight and Government Reform reported on Iraq reconstruction contracting:

“From the beginning, the Administration adopted a flawed contracting approach in Iraq. Instead of maximizing competition, the Administration opted to award no-bid, cost-plus contracts to politically connected contractors. Halliburton’s secret \$7 billion contract to restore Iraq’s oil infrastructure is the prime example. Under this no-bid, cost-plus contract, Halliburton was reimbursed

for its costs and then received an additional fee, which was a percentage of its costs. This created an incentive for Halliburton to run up its costs in order to increase its potential profit.

“Even after the Administration claimed it was awarding Iraq contracts competitively in early 2004, real price competition was missing. Iraq was divided geographically and by economic sector into a handful of fiefdoms. Individual contractors were then awarded monopoly contracts for all of the work within given fiefdoms. Because these monopoly contracts were awarded before specific projects were identified, there was no actual price competition for more than 2,000 projects.

“In the absence of price competition, rigorous government oversight becomes essential for accountability. Yet the Administration turned much of the contract oversight work over to private companies with blatant conflicts of interest. Oversight contractors oversaw their business partners and, in some cases, were placed in a position to assist their own construction work under separate monopoly construction contracts. . . .

“Under Halliburton’s two largest Iraq contracts, Pentagon auditors found \$1 billion in ‘questioned’ costs and over \$400 million in ‘unsupported’ costs. Former Halliburton employees testified that the company charged \$45 for cases of soda, billed \$100 to clean 15-pound bags of laundry, and insisted on housing its staff at the five-star Kempinski hotel in Kuwait. Halliburton truck drivers testified that the company ‘torched’ brand new \$85,000 trucks rather than perform relatively minor repairs and regular maintenance. Halliburton procurement officials described the company’s informal motto in Iraq as ‘Don’t worry about price. It’s cost-plus.’ A Halliburton manager was indicted for ‘major fraud against the United States’ for allegedly billing more than \$5.5 billion for work that should have cost only \$685,000 in exchange for a \$1 million kickback from a Kuwaiti subcontractor. . . .

“The Air Force found that another U.S. government contractor, Custer Battles, set up shell subcontractors to inflate prices. Those overcharges were passed along to the U.S. government under the company’s cost-plus contract to provide security for Baghdad International Airport. In one case, the company allegedly took Iraqi-owned forklifts, re-painted them, and leased them to the U.S. government.

“Despite the spending of billions of taxpayer dollars, U.S. reconstruction efforts in key sectors of the Iraqi economy are failing. Over two years after the U.S.-led invasion of Iraq, oil and electricity production has fallen below pre-war levels. The Administration has failed to even measure how many Iraqis lack access to drinkable water.”

“Constitution in Crisis,” a book by Congressman John Conyers, details the Bush Administration’s response when contract abuse is made public:

“Bunnatine Greenhouse was the chief contracting officer at the Army Corps of Engineers, the agency that has managed much of the reconstruction work in Iraq. In October 2004, Ms. Greenhouse came forward and revealed that top Pentagon officials showed improper favoritism to Halliburton when awarding military contracts to Halliburton subsidiary Kellogg Brown & Root (KBR). Greenhouse stated that when the Pentagon awarded Halliburton a five-year \$7 billion contract, it pressured her to withdraw her objections, actions which she claimed were unprecedented in her experience.

“On June 27, 2005, Ms. Greenhouse testified before Congress, detailing that the contract award process was compromised by improper influence by political appointees, participa-

tion by Halliburton officials in meetings where bidding requirements were discussed, and a lack of competition. She stated that the Halliburton contracts represented “the most blatant and improper contract abuse I have witnessed during the course of my professional career.” Days before the hearing, the acting general counsel of the Army Corps of Engineers paid Ms. Greenhouse a visit and reportedly let it be known that it would not be in her best interest to appear voluntarily.

“On August 27, 2005, the Army demoted Ms. Greenhouse, removing her from the elite Senior Executive Service and transferring her to a lesser job in the corps’ civil works division. As Frank Rich of The New York Times described the situation, ‘[H]er crime was not obstructing justice but pursuing it by vehemently questioning irregularities in the awarding of some \$7 billion worth of no-bid contracts in Iraq to the Halliburton subsidiary Kellogg Brown Root.’ The demotion was in apparent retaliation for her speaking out against the abuses, even though she previously had stellar reviews and over 20 years of experience in military procurement.”

The House Committee on Oversight and Government Reform reports on domestic contracting:

“The Administration’s domestic contracting record is no better than its record on Iraq. Waste, fraud, and abuse appear to be the rule rather than the exception. . . .

“A Transportation Security Administration (TSA) cost-plus contract with NCS Pearson, Inc., to hire federal airport screeners was plagued by poor management and egregious waste. Pentagon auditors challenged \$303 million (over 40%) of the \$741 million spent by Pearson under the contract. The auditors detailed numerous concerns with the charges of Pearson and its subcontractors, such as ‘\$20-an-hour temporary workers billed to the government at \$48 per hour, subcontractors who signed out \$5,000 in cash at a time with no supporting documents, \$377,273.75 in unsubstantiated long distance phone calls, \$514,201 to rent tents that flooded in a rainstorm, [and] \$4.4 million in ‘no show’ fees for job candidates who did not appear for tests.’ A Pearson employee who supervised Pearson’s hiring efforts at 43 sites in the U.S. described the contract as ‘a waste a taxpayer’s money.’ The CEO of one Pearson subcontractor paid herself \$5.4 million for nine months work and provided herself with a \$270,000 pension. . . .

“The Administration is spending \$239 million on the Integrated Surveillance and Intelligence System, a no-bid contract to provide thousands of cameras and sensors to monitor activity on the Mexican and Canadian borders. Auditors found that the contractor, International Microwave Corp., billed for work it never did and charged for equipment it never provided, ‘creat[ing] a potential for overpayments of almost \$13 million.’ Moreover, the border monitoring system reportedly does not work. . . .

“After spending more than \$4.5 billion on screening equipment for the nation’s entry points, the Department of Homeland Security is now ‘moving to replace or alter much of’ it because ‘it is ineffective, unreliable or too expensive to operate.’ For example, radiation monitors at ports and borders reportedly could not ‘differentiate between radiation emitted by a nuclear bomb and naturally occurring radiation from everyday material like cat litter or ceramic tile.’ . . .

“The TSA awarded Boeing a cost-plus contract to install over 1,000 explosive detection systems for airline passenger luggage. After installation, the machines ‘began to register false alarms’ and ‘[s]creeners were forced to open and hand-check bags.’ To reduce the number of false alarms, the sensitivity of the machines was lowered, which reduced the effectiveness of the detectors. Despite these

serious problems, Boeing received an \$82 million profit that the Inspector General determined to be 'excessive.' . . .

"The FBI spent \$170 million on a 'Virtual Case File' system that does not operate as required. After three years of work under a cost-plus contract failed to produce a functional system, the FBI scrapped the program and began work on the new 'Sentinel' Case File System. . . .

"The Department of Homeland Security Inspector General found that taxpayer dollars were being lavished on perks for agency officials. One IG report found that TSA spent over \$400,000 on its first leader's executive office suite. Another found that TSA spent \$350,000 on a gold-plated gym. . . .

"According to news reports, Pentagon auditors . . . examined a contract between the Transportation Security Administration (TSA) and Unisys, a technology and consulting company, for the upgrade of airport computer networks. Among other irregularities, government auditors found that Unisys may have overbilled for as much as 171,000 hours of labor and overtime by charging for employees at up to twice their actual rate of compensation. While the cost ceiling for the contract was set at \$1 billion, Unisys has reportedly billed the government \$940 million with more than half of the seven-year contract remaining and more than half of the TSA-monitored airports still lacking upgraded networks."

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XVII.—ILLEGAL DETENTION: DETAINING INDEFINITELY AND WITHOUT CHARGE PERSONS BOTH U.S. CITIZENS AND FOREIGN CAPTIVES

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, violated United States and International Law and the U.S. Constitution by illegally detaining indefinitely and without charge persons both U.S. citizens and foreign captives.

In a statement on Feb. 7, 2002, President Bush declared that in the U.S. fight against Al Qaeda, "none of the provisions of Geneva apply," thus rejecting the Geneva Conventions that protect captives in wars and other conflicts. By that time, the administration was already transporting captives from the war in Afghanistan, both alleged Al Qaeda members and supporters, and also Afghans accused of being fighters in the army of the Taliban government, to U.S.-run prisons in Afghanistan and to the detention facility at Guantanamo Bay, Cuba. The round-up and detention without charge of Muslim non-citizens inside the U.S. began almost immediately after the September 11, 2001 attacks on the World Trade Center and the Pentagon, with some being held as long as nine months. The U.S., on orders of the president, began capturing and detaining without charge alleged terror suspects in other countries and detaining them abroad and at the U.S. Naval base in Guantanamo.

Many of these detainees have been subjected to systematic abuse, including beatings, which have been subsequently documented by news reports, photographic evidence, testimony in Congress, lawsuits, and in the case of detainees in the U.S., by an investigation conducted by the Justice Department's Office of the Inspector General.

In violation of U.S. law and the Geneva Conventions, the Bush Administration instructed the Department of Justice and the U.S. Department of Defense to refuse to provide the identities or locations of these detainees, despite requests from Congress and from attorneys for the detainees. The president even declared the right to detain U.S. citizens indefinitely, without charge and without providing them access to counsel or the courts, thus depriving them of their constitutional and basic human rights. Several of those U.S. citizens were held in military brigades in solitary confinement for as long as three years before being either released or transferred to civilian detention.

Detainees in U.S. custody in Iraq and Guantanamo have, in violation of the Geneva Conventions, been hidden from and denied visits by the International Red Cross organization, while thousands of others in Iraq, Guantanamo, Afghanistan, ships in foreign off-shore sites, and an unknown number of so-called "black sites" around the world have been denied any opportunity to challenge their detentions. The president, acting on his own claimed authority, has declared the hundreds of detainees at Guantanamo Bay to be "enemy combatants" not subject to U.S. law and not even subject to military law, but nonetheless potentially liable to the death penalty.

The detention of individuals without due process violates the 5th Amendment. While the Bush administration has been rebuked in several court cases, most recently that of Ali al-Marri, it continues to attempt to exceed constitutional limits.

In all of these actions violating U.S. and International law, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XVIII.—TORTURE: SECRETLY AUTHORIZING, AND ENCOURAGING THE USE OF TORTURE AGAINST CAPTIVES IN AFGHANISTAN, IRAQ, AND OTHER PLACES, AS A MATTER OF OFFICIAL POLICY

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, violated United States and International Law and the U.S. Constitution by secretly authorizing and encouraging the use of torture against captives in Afghanistan, Iraq in connection with the so-called "war" on terror.

In violation of the Constitution, U.S. law, the Geneva Conventions (to which the U.S. is a signatory), and in violation of basic human rights, torture has been authorized by the President and his administration as official policy. Water-boarding, beatings, faked executions, confinement in extreme cold or ex-

treme heat, prolonged enforcement of painful stress positions, sleep deprivation, sexual humiliation, and the defiling of religious articles have been practiced and exposed as routine at Guantanamo, at Abu Ghraib Prison and other U.S. detention sites in Iraq, and at Bagram Air Base in Afghanistan. The president, besides bearing responsibility for authorizing the use of torture, also as Commander in Chief, bears ultimate responsibility for the failure to halt these practices and to punish those responsible once they were exposed.

The administration has sought to claim the abuse of captives is not torture, by redefining torture. An August 1, 2002 memorandum from the Administration's Office of Legal Counsel Jay S. Bybee addressed to White House Counsel Alberto R. Gonzales concluded that to constitute torture, any pain inflicted must be akin to that accompanying "serious physical injury, such as organ failure, impairment of bodily function, or even death." The memorandum went on to state that even should an act constitute torture under that minimal definition, it might still be permissible if applied to "interrogations undertaken pursuant to the President's Commander-in-Chief powers." The memorandum further asserted that "necessity or self-defense could provide justifications that would eliminate any criminal liability."

This effort to redefine torture by calling certain practices simply "enhanced interrogation techniques" flies in the face of the Third Geneva Convention Relating to the Treatment of Prisoners of War, which states that "No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to any unpleasant or disadvantageous treatment of any kind."

Torture is further prohibited by the Universal Declaration of Human Rights, the paramount international human rights statement adopted unanimously by the United Nations General Assembly, including the United States, in 1948. Torture and other cruel, inhuman or degrading treatment or punishment is also prohibited by international treaties ratified by the United States: the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT).

When the Congress, in the Defense Authorization Act of 2006, overwhelmingly passed a measure banning torture and sent it to the President's desk for signature, the President, who together with his vice president, had fought hard to block passage of the amendment, signed it, but then quietly appended a signing statement in which he pointedly asserted that as Commander-in-Chief, he was not bound to obey its strictures.

The administration's encouragement of and failure to prevent torture of American captives in the wars in Iraq and Afghanistan, and in the battle against terrorism, has undermined the rule of law in the U.S. and in the US military, and has seriously damaged both the effort to combat global terrorism, and more broadly, America's image abroad. In his effort to hide torture by U.S. military forces and the CIA, the president has defied Congress and has lied to the American people, repeatedly claiming that the U.S. "does not torture."

In all of these actions and decisions in violation of U.S. and International law, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the

cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XIX.—RENDITION: KIDNAPPING PEOPLE AND TAKING THEM AGAINST THEIR WILL TO “BLACK SITES” LOCATED IN OTHER NATIONS, INCLUDING NATIONS KNOWN TO PRACTICE TORTURE

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution “to take care that the laws be faithfully executed”, has both personally and acting through his agents and subordinates, together with the Vice President, violated United States and International Law and the U.S. Constitution by kidnapping people and renditioning them to “black sites” located in other nations, including nations known to practice torture.

The president has publicly admitted that since the 9-11 attacks in 2001, the U.S. has been kidnapping and transporting against the will of the subject (renditioning) in its so-called “war” on terror—even people captured by U.S. personnel in friendly nations like Sweden, Germany, Macedonia and Italy—and ferrying them to places like Bagram Airbase in Afghanistan, and to prisons operated in Eastern European countries, African Countries and Middle Eastern countries where security forces are known to practice torture.

These people are captured and held indefinitely, without any charges being filed, and are held without being identified to the Red Cross, or to their families. Many are clearly innocent, and several cases, including one in Canada and one in Germany, have demonstrably been shown subsequently to have been in error, because of a similarity of names or because of misinformation provided to U.S. authorities.

Such a policy is in clear violation of U.S. and International Law, and has placed the United States in the position of a pariah state. The CIA has no law enforcement authority, and cannot legally arrest or detain anyone. The program of “extraordinary rendition” authorized by the president is the substantial equivalent of the policies of “disappearing” people, practices widely practiced and universally condemned in the military dictatorships of Latin America during the late 20th Century.

The administration has claimed that prior administrations have practiced extraordinary rendition, but, while this is technically true, earlier renditions were used only to capture people with outstanding arrest warrants or convictions who were outside in order to deliver them to stand trial or serve their sentences in the U.S. The president has refused to divulge how many people have been subject to extraordinary rendition since September, 2001. It is possible that some have died in captivity. As one U.S. official has stated off the record, regarding the program, Some of those who were renditioned were later delivered to Guantanamo, while others were sent there directly. An example of this is the case of six Algerian Bosnians who, immediately after being cleared by the Supreme Court of Bosnia Herzegovina in January 2002 of allegedly plotting to attack the U.S. and UK embassies, were captured, bound and gagged by U.S. special forces and renditioned to Guantanamo.

In perhaps the most egregious proven case of rendition, Maher Arar, a Canadian citizen

born in Syria, was picked up in September 2002 while transiting through New York’s JFK airport on his way home to Canada. Immigration and FBI officials detained and interrogated him for nearly two weeks, illegally denying him his rights to access counsel, the Canadian consulate, and the courts. Executive branch officials asked him if he would volunteer to go to Syria, where he hadn’t been in 15 years, and Maher refused.

Maher was put on a private jet plane operated by the CIA and sent to Jordan, where he was beaten for 8 hours, and then delivered to Syria, where he was beaten and interrogated for 18 hours a day for a couple of weeks. He was whipped on his back and hands with a 2 inch thick electric cable and asked questions similar to those he had been asked in the United States. For over ten months Maher was held in an underground grave-like cell—3 × 6 × 7 feet—which was damp and cold, and in which the only light came in through a hole in the ceiling. After a year of this, Maher was released without any charges. He is now back home in Canada with his family. Upon his release, the Syrian Government announced he had no links to Al Qaeda, and the Canadian Government has also said they’ve found no links to Al Qaeda. The Canadian Government launched a Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar, to investigate the role of Canadian officials, but the Bush Administration has refused to cooperate with the Inquiry.

Hundreds of flights of CIA-chartered planes have been documented as having passed through European countries on extraordinary rendition missions like that involving Maher Arar, but the administration refuses to state how many people have been subjects of this illegal program.

The same U.S. laws prohibiting aiding and abetting torture also prohibit sending someone to a country where there is a substantial likelihood they may be tortured. Article 3 of CAT prohibits forced return where there is a “substantial likelihood” that an individual “may be in danger of” torture, and has been implemented by federal statute. Article 7 of the ICCPR prohibits return to country of origin where individuals may be “at risk” of either torture or cruel, inhuman or degrading treatment.

Under international Human Rights law, transferring a POW to any nation where he or she is likely to be tortured or inhumanely treated violates Article 12 of the Third Geneva Convention, and transferring any civilian who is a protected person under the Fourth Geneva Convention is a grave breach and a criminal act.

In situations of armed conflict, both international human rights law and humanitarian law apply. A person captured in the zone of military hostilities “must have some status under international law; he is either a prisoner of war and, as such, covered by the Third Convention, [or] a civilian covered by the Fourth Convention. . . . There is no intermediate status; nobody in enemy hands can be outside the law.” Although the state is obligated to repatriate Prisoners of War as soon as hostilities cease, the ICRC’s commentary on the 1949 Conventions states that prisoners should not be repatriated where there are serious reasons for fearing that repatriating the individual would be contrary to general principles of established international law for the protection of human beings. Thus, all of the Guantanamo detainees as well as renditioned captives are protected by international human rights protections and humanitarian law.

By his actions as outlined above, the President has abused his power, broken the law, deceived the American people, and placed American military personnel, and indeed all

Americans—especially those who may travel or live abroad—at risk of similar treatment. Furthermore, in the eyes of the rest of the world, the President has made the U.S., once a model of respect for Human Rights and respect for the rule of law, into a state where international law is neither respected nor upheld.

In all of these actions and decisions in violation of United States and International law, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XX.—IMPRISONING CHILDREN

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution “to take care that the laws be faithfully executed”, has both personally and acting through his agents and subordinates, authorized or permitted the arrest and detention of at least 2500 children under the age of 18 as “enemy combatants” in Iraq, Afghanistan, and at Guantanamo Bay Naval Station in violation of the Fourth Geneva Convention relating to the treatment of “protected persons” and the Optional Protocol to the Geneva Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, signed by the U.S. in 2002. To wit:

In May 2008, the U.S. government reported to the United Nations that it has been holding upwards of 2,500 children under the age of 18 as “enemy combatants” at detention centers in Iraq, Afghanistan and at Guantanamo Bay (where there was a special center, Camp Iguana, established just for holding children). The length of these detentions has frequently exceeded a year, and in some cases has stretched to five years. Some of these detainees have reached adulthood in detention and are now not being reported as child detainees because they are no longer children.

In addition to detaining children as “enemy combatants,” it has been widely reported in media reports that the U.S. military in Iraq has, based upon Pentagon rules of engagement, been treating boys as young as 14 years of age as “potential combatants,” subject to arrest and even to being killed. In Fallujah, in the days ahead of the November 2004 all-out assault, Marines ringing the city were reported to be turning back into the city men and boys “of combat age” who were trying to flee the impending scene of battle—an act which in itself is a violation of the Geneva Conventions, which require combatants to permit anyone, combatants as well as civilians, to surrender, and to leave the scene of battle.

Under the Fourth Geneva Convention, to which the United States has been a signatory since 1949, children under the age of 15 captured in conflicts, even if they have been fighting, are to be considered victims, not prisoners. In 2002, the United States signed the Optional Protocol to the Geneva Convention on the Rights of the Child on the Involvement of children in Armed Conflict, which raised this age for this category of “protected person” to under 18.

The continued detention of such children, some as young as 10, by the U.S. military is a violation of both convention and protocol,

and as such constitutes a war crime for which the president, as commander in chief, bears full responsibility.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXI.—MISLEADING CONGRESS AND THE AMERICAN PEOPLE ABOUT THREATS FROM IRAN, AND SUPPORTING TERRORIST ORGANIZATIONS WITHIN IRAN, WITH THE GOAL OF OVERTHROWING THE IRANIAN GOVERNMENT

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has both personally and acting through his agents and subordinates misled the Congress and the citizens of the United States about a threat of nuclear attack from the nation of Iran.

The National Intelligence Estimate released to Congress and the public on December 4, 2007, which confirmed that the government of the nation of Iran had ceased any efforts to develop nuclear weapons, was completed in 2006. Yet, the president and his aides continued to suggest during 2007 that such a nuclear threat was developing and might already exist. National Security Adviser Stephen Hadley stated at the time the National Intelligence Estimate regarding Iran was released that the president had been briefed on its findings “in the last few months.” Hadley’s statement establishes a timeline that shows the president knowingly sought to deceive Congress and the American people about a nuclear threat that did not exist.

Hadley has stated that the president “was basically told: stand down” and, yet, the president and his aides continued to make false claims about the prospect that Iran was trying to “build a nuclear weapon” that could lead to “World War III.”

This evidence establishes that the president actively engaged in and had full knowledge of a campaign by his administration to make a false “case” for an attack on Iran, thus warping the national security debate at a critical juncture and creating the prospect of an illegal and unnecessary attack on a sovereign nation.

Even after the National Intelligence Estimate was released to Congress and the American people, the president stated that he did not believe anything had changed and suggested that he and members of his administration would continue to argue that Iran should be seen as posing a threat to the United States. He did this despite the fact that United States intelligence agencies had clearly and officially stated that this was not the case.

Evidence suggests that the Bush Administration’s attempts to portray Iran as a threat are part of a broader U.S. policy toward Iran. On September 30, 2001, then-Secretary of Defense Donald Rumsfeld established an official military objective of overthrowing the regime in Iran, as well as those in Iraq, Syria, and four other countries in the Middle East, according to a document quoted in then-Undersecretary of Defense for Policy Douglas Feith’s book, “War and Decision.”

General Wesley Clark, reports in his book “Winning Modern Wars” being told by a

friend in the Pentagon in November 2001 that the list of governments that Rumsfeld and Deputy Secretary of Defense Paul Wolfowitz planned to overthrow included Iraq, Iran, Syria, Libya, Sudan, and Somalia. Clark writes that the list also included Lebanon.

Journalist Gareth Porter reported in May 2008 asking Feith at a public event which of the six regimes on the Clark list were included in the Rumsfeld paper, to which Feith replied “All of them.”

Rumsfeld’s aides also drafted a second version of the paper, as instructions to all military commanders in the development of “campaign plans against terrorism”. The paper called for military commanders to assist other government agencies “as directed” to “encourage populations dominated by terrorist organizations or their supporters to overthrow that domination.”

In January 2005, Seymour Hersh reported in the New Yorker Magazine that the Bush Administration had been conducting secret reconnaissance missions inside Iran at least since the summer of 2004.

In June 2005 former United Nations weapons inspector Scott Ritter reported that United States security forces had been sending members of the Mujahedeen-e Khalq (MEK) into Iranian territory. The MEK has been designated a terrorist organization by the United States, the European Union, Canada, Iraq, and Iran. Ritter reported that the United States Central Intelligence Agency (CIA) had used the MEK to carry out remote bombings in Iran.

In April 2006, Hersh reported in the New Yorker Magazine that U.S. combat troops had entered and were operating in Iran, where they were working with minority groups including the Azeris, Baluchis, and Kurds.

Also in April 2006, Larisa Alexandrovna reported on Raw Story that the U.S. Department of Defense (DOD) was working with and training the MEK, or former members of the MEK, sending them to commit acts of violence in southern Iran in areas where recent attacks had left many dead. Raw Story reported that the Pentagon had adopted the policy of supporting MEK shortly after the 2003 invasion of Iraq, and in response to the influence of Vice President Richard B. Cheney’s office. Raw Story subsequently reported that no Presidential finding, and no Congressional oversight, existed on MEK operations.

In March 2007, Hersh reported in the New Yorker Magazine that the Bush administration was attempting to stem the growth of Shiite influence in the Middle East (specifically the Iranian government and Hezbollah in Lebanon) by funding violent Sunni organizations, without any Congressional authorization or oversight. Hersh said funds had been given to “three Sunni jihadist groups . . . connected to al Qaeda” that “want to take on Hezbollah.”

In April 2008, the Los Angeles Times reported that conflicts with insurgent groups along Iran’s borders were understood by the Iranian government as a proxy war with the United States and were leading Iran to support its allies against the United States’ occupation force in Iraq. Among the groups the U.S. DOD is supporting, according to this report, is the Party for Free Life in Kurdistan, known by its Kurdish acronym, PEJAK. The United States has provided “foodstuffs, economic assistance, medical supplies and Russian military equipment, some of it funneled through nonprofit groups.”

In May 2008, Andrew Cockburn reported on Counter Punch that President Bush, six weeks earlier had signed a secret finding authorizing a covert offensive against the Iranian regime. President Bush’s secret directive covers actions across an area stretching

from Lebanon to Afghanistan, and purports to sanction actions up to and including the funding of organizations like the MEK and the assassination of public officials.

All of these actions by the President and his agents and subordinates exhibit a disregard for the truth and a recklessness with regard to national security, nuclear proliferation and the global role of the United States military that is not merely unacceptable but dangerous in a commander-in-chief.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXII.—CREATING SECRET LAWS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution “to take care that the laws be faithfully executed”, has both personally and acting through his agents and subordinates, together with the Vice President, established a body of secret laws through the issuance of legal opinions by the Department of Justice’s Office of Legal Counsel (OLC).

The OLC’s March 14, 2003, interrogation memorandum (“Yoo Memorandum”) was declassified years after it served as law for the executive branch. On April 29, 2008, House Judiciary Committee Chairman John Conyers and Subcommittee on the Constitution, Civil Rights and Civil Liberties Chairman Jerrold Nadler wrote in a letter to Attorney General Michael Mukasey:

“It appears to us that there was never any legitimate basis for the purely legal analysis contained in this document to be classified in the first place. The Yoo Memorandum does not describe sources and methods of intelligence gathering, or any specific facts regarding any interrogation activities. Instead, it consists almost entirely of the Department’s legal views, which are not properly kept secret from Congress and the American people. J. William Leonard, the Director of the National Archive’s Office of Information Security Oversight Office, and a top expert in this field concurs, commenting that ‘[t]he document in question is purely a legal analysis’ that contains ‘nothing which would justify classification.’ In addition, the Yoo Memorandum suggests an extraordinary breadth and aggressiveness of OLC’s secret legal opinion-making. Much attention has rightly been given to the statement in footnote 10 in the March 14, 2003, memorandum that, in an October 23, 2001, opinion, OLC concluded ‘that the Fourth Amendment had no application to domestic military operations.’ As you know, we have requested a copy of that memorandum on no less than four prior occasions and we continue to demand access to this important document.

“In addition to this opinion, however, the Yoo Memorandum references at least 10 other OLC opinions on weighty matters of great interest to the American people that also do not appear to have been released. These appear to cover matters such as the power of Congress to regulate the conduct of military commissions, legal constraints on the ‘military detention of United States citizens,’ legal rules applicable to the boarding and searching foreign ships, the President’s

authority to render U.S. detainees to the custody of foreign governments, and the President's authority to breach or suspend U.S. treaty obligations. Furthermore, it has been more than five years since the Yoo Memorandum was authored, raising the question how many other such memoranda and letters have been secretly authored and utilized by the Administration.

"Indeed, a recent court filing by the Department in FOIA litigation involving the Central Intelligence Agency identifies 8 additional secret OLC opinions, dating from August 6, 2004, to February 18, 2007. Given that these reflect only OLC memoranda identified in the files of the CIA, and based on the sampling procedures under which that listing was generated, it appears that these represent only a small portion of the secret OLC memoranda generated during this time, with the true number almost certainly much higher."

Senator Russ Feingold, in a statement during an April 30, 2008, senate hearing stated:

"It is a basic tenet of democracy that the people have a right to know the law. In keeping with this principle, the laws passed by Congress and the case law of our courts have historically been matters of public record. And when it became apparent in the middle of the 20th century that federal agencies were increasingly creating a body of non-public administrative law, Congress passed several statutes requiring this law to be made public, for the express purpose of preventing a regime of 'secret law.' That purpose today is being thwarted. Congressional enactments and agency regulations are for the most part still public. But the law that applies in this country is determined not only by statutes and regulations, but also by the controlling interpretations of courts and, in some cases, the executive branch. More and more, this body of executive and judicial law is being kept secret from the public, and too often from Congress as well. . . .

"A legal interpretation by the Justice Department's Office of Legal Counsel . . . binds the entire executive branch, just like a regulation or the ruling of a court. In the words of former OLC head Jack Goldsmith, 'These executive branch precedents are "law" for the executive branch.' The Yoo memorandum was, for a nine-month period in 2003 until it was withdrawn by Mr. Goldsmith, the law that this Administration followed when it came to matters of torture. And of course, that law was essentially a declaration that few if any laws applied. . . .

"Another body of secret law is the controlling interpretations of the Foreign Intelligence Surveillance Act that are issued by the Foreign Intelligence Surveillance Court. FISA, of course, is the law that governs the government's ability in intelligence investigations to conduct wiretaps and search the homes of people in the United States. Under that statute, the FISA Court is directed to evaluate wiretap and search warrant applications and decide whether the standard for issuing a warrant has been met—a largely factual evaluation that is properly done behind closed doors. But with the evolution of technology and with this Administration's efforts to get the Court's blessing for its illegal wiretapping activities, we now know that the Court's role is broader, and that it is very much engaged in substantive interpretations of the governing statute. These interpretations are as much a part of this country's surveillance law as the statute itself. Without access to them, it is impossible for Congress or the public to have an informed debate on matters that deeply affect the privacy and civil liberties of all Americans. . . .

"The Administration's shroud of secrecy extends to agency rules and executive pro-

nouncements, such as Executive Orders, that carry the force of law. Through the diligent efforts of my colleague Senator Whitehouse, we have learned that OLC has taken the position that a President can 'waive' or 'modify' a published Executive Order without any notice to the public or Congress simply by not following it."

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXIII—VIOLATION OF THE POSSE COMITATUS ACT

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, repeatedly and illegally established programs to appropriate the power of the military for use in law enforcement. Specifically, he has contravened U.S.C. Title 18, Section 1385, originally enacted in 1878, subsequently amended as "Use of Army and Air Force as Posse Comitatus" and commonly known as the Posse Comitatus Act.

The Act states:

"Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both."

The Posse Comitatus Act is designed to prevent the military from becoming a national police force.

The Declaration of Independence states as a specific grievance against the British that the King had "kept among us, in times of peace, Standing Armies without the consent of our legislatures," had "affected to render the Military independent of and superior to the civil power," and had "quarter[ed] large bodies of armed troops among us . . . protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States"

Despite the Posse Comitatus Act's intent, and in contravention of the law, President Bush:

(a) has used military forces for law enforcement purposes on U.S. border patrol;

(b) has established a program to use military personnel for surveillance and information on criminal activities;

(c) is using military espionage equipment to collect intelligence information for law enforcement use on civilians within the United States; and

(d) employs active duty military personnel in surveillance agencies, including the Central Intelligence Agency (CIA).

In June 2006, President Bush ordered National Guard troops deployed to the border

shared by Mexico with Arizona, Texas, and California. This deployment, which by 2007 reached a maximum of 6,000 troops, had orders to "conduct surveillance and operate detection equipment, work with border entry identification teams, analyze information, assist with communications and give administrative support to the Border Patrol" and concerned ". . . providing intelligence, inspecting cargo, and conducting surveillance."

The Air Force's "Eagle Eyes" program encourages Air Force military staff to gather evidence on American citizens. Eagle Eyes instructs Air Force personnel to engage in surveillance and then advises them to "alert local authorities," asking military staff to surveil and gather evidence on public citizens. This contravenes DoD Directive 5525.5 "SUBJECT: DoD Cooperation with Civilian Law Enforcement" which limits such activities.

President Bush has implemented a program to use imagery from military satellites for domestic law enforcement through the National Applications Office.

President Bush has assigned numerous active duty military personnel to civilian institutions such as the CIA and the Department of Homeland Security, both of which have responsibilities for law enforcement and intelligence.

In addition, on May 9, 2007, President Bush released "National Security Presidential Directive/NSPD 51," which effectively gives the president unchecked power to control the entire government and to define that government in time of an emergency, as well as the power to determine whether there is an emergency. The document also contains "classified Continuity Annexes." In July 2007 and again in August 2007 Rep. Peter DeFazio, a senior member of the House Homeland Security Committee, sought access to the classified annexes. DeFazio and other leaders of the Homeland Security Committee, including Chairman Bennie Thompson, have been denied a review of the Continuity of Government classified annexes.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXIV.—SPYING ON AMERICAN CITIZENS, WITHOUT A COURT-ORDERED WARRANT, IN VIOLATION OF THE LAW AND THE FOURTH AMENDMENT

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed," has both personally and acting through his agents and subordinates, knowingly violated the fourth Amendment to the Constitution and the Foreign Intelligence Service Act of 1978 (FISA) by authorizing warrantless electronic surveillance of American citizens to wit:

(1) The President was aware of the FISA Law requiring a court order for any wiretap as evidenced by the following:

(A) "Now, by the way, any time you hear the United States government talking about wiretap, it requires—a wiretap requires a court order. Nothing has changed, by the way. When we're talking about chasing down

terrorists, we're talking about getting a court order before we do so." White House Press conference on April 20, 2004. [White House Transcript]

(B) "Law enforcement officers need a federal judge's permission to wiretap a foreign terrorist's phone, or to track his calls, or to search his property. Officers must meet strict standards to use any of the tools we're talking about." President Bush's speech in Baltimore Maryland on July 20th 2005. [White House Transcript]

(2) The President repeatedly ordered the NSA to place wiretaps on American citizens without requesting a warrant from FISA as evidenced by the following:

(A) "Months after the Sept. 11 attacks, President Bush secretly authorized the National Security Agency to eavesdrop on Americans and others inside the United States to search for evidence of terrorist activity without the court-approved warrants ordinarily required for domestic spying, according to government officials." New York Times article by James Risen and Eric Lichtblau on December 12, 2005. [NYTimes]

(B) The President admits to authorizing the program by stating "I have reauthorized this program more than 30 times since the September the 11th attacks, and I intend to do so for as long as our nation faces a continuing threat from al Qaeda and related groups. The NSA's activities under this authorization are thoroughly reviewed by the Justice Department and NSA's top legal officials, including NSA's general counsel and inspector general. Leaders in Congress have been briefed more than a dozen times on this authorization and the activities conducted under it." Radio Address from the White House on December 17, 2005. [White House Transcript]

(C) In a December 19th 2005 press conference the President publicly admitted to using a combination of surveillance techniques including some with permission from the FISA courts and some without permission from FISA.

Reporter: It was, why did you skip the basic safeguards of asking courts for permission for the intercepts?

The President: . . . We use FISA still—you're referring to the FISA court in your question—of course, we use FISAs. But FISA is for long-term monitoring. What is needed in order to protect the American people is the ability to move quickly to detect. Now, having suggested this idea, I then, obviously, went to the question, is it legal to do so? I am—I swore to uphold the laws. Do I have the legal authority to do this? And the answer is, absolutely. As I mentioned in my remarks, the legal authority is derived from the Constitution, as well as the authorization of force by the United States Congress." [White House Transcript]

(D) Mike McConnell, the Director of National Intelligence, in a letter to to Senator Arlen Specter, acknowledged that Bush's Executive Order in 2001 authorized a series of secret surveillance activities and included undisclosed activities beyond the warrantless surveillance of e-mails and phone calls that Bush confirmed in December 2005. "NSA Spying Part of Broader Effort" by Dan Eggen, Washington Post, 8/1/07.

(3) The President ordered the surveillance to be conducted in a way that would spy upon private communications between American citizens located within the United States borders as evidenced by the following:

(A) Mark Klein, a retired AT&T communications technician, submitted an affidavit in support of the Electronic Frontier Foundation's FF's lawsuit against AT&T. He testified that in 2003 he connected a "splitter" that sent a copy of Internet traffic and phone calls to a secure room that was oper-

ated by the NSA in the San Francisco office of AT&T. He heard from a co-worker that similar rooms were being constructed in other cities, including Seattle, San Jose, Los Angeles and San Diego. From "Whistle-Blower Outs NSA Spy Room," Wired News, 4/7/06 [Wired] [EFF Case]

(4) The President asserted an inherent authority to conduct electronic surveillance based on the Constitution and the "Authorization to use Military Force in Iraq" (AUMF) that was not legally valid as evidenced by the following:

(A) In a December 19th, 2005 Press Briefing General Alberto Gonzales admitted that the surveillance authorized by the President was not only done without FISA warrants, but that the nature of the surveillance was so far removed from what FISA can approve that FISA could not even be amended to allow it. Gonzales stated "We have had discussions with Congress in the past—certain members of Congress—as to whether or not FISA could be amended to allow us to adequately deal with this kind of threat, and we were advised that that would be difficult, if not impossible."

(B) The fourth amendment to the United States Constitution states "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

(C) "The Foreign Intelligence Surveillance Act of 1978 unambiguously limits warrantless domestic electronic surveillance, even in a congressionally declared war, to the first 15 days of that war; criminalizes any such electronic surveillance not authorized by statute; and expressly establishes FISA and two chapters of the federal criminal code, governing wiretaps for intelligence purposes and for criminal investigation, respectively, as the "exclusive means by which electronic surveillance . . . and the interception of domestic wire, oral, and electronic communications may be conducted." 50 U.S.C. 1811, 1809, 18 U.S.C. 2511(2)(f)." Letter from Harvard Law Professor Lawrence Tribe to John Conyers on 1/6/06.

(D) In a December 19th, 2005 Press Briefing Attorney General Alberto Gonzales stated "Our position is, is that the authorization to use force, which was passed by the Congress in the days following September 11th, constitutes that other authorization, that other statute by Congress, to engage in this kind of signals intelligence."

(E) The "Authorization to use Military Force in Iraq" does not give any explicit authorization related to electronic surveillance. [HJRes114]

(F) "From the foregoing analysis, it appears unlikely that a court would hold that Congress has expressly or impliedly authorized the NSA electronic surveillance operations here under discussion, and it would likewise appear that, to the extent that those surveillances fall within the definition of "electronic surveillance" within the meaning of FISA or any activity regulated under Title III, Congress intended to cover the entire field with these statutes." From the "Presidential Authority to Conduct Warrantless Electronic Surveillance to Gather Foreign Intelligence Information" by the Congressional Research Service on January 5, 2006.

(G) "The inescapable conclusion is that the AUMF did not implicitly authorize what the FISA expressly prohibited. It follows that the presidential program of surveillance at issue here is a violation of the separation of powers—as grave an abuse of executive au-

thority as I can recall ever having studied." Letter from Harvard Law Professor Lawrence Tribe to John Conyers on 1/6/06.

(H) On August 17, 2006 Judge Anna Diggs Taylor of the United States District Court in Detroit, in *ACLU v. NSA*, ruled that the "NSA program to wiretap the international communications of some Americans without a court warrant violated the Constitution. . . . Judge Taylor ruled that the program violated both the Fourth Amendment and a 1978 law that requires warrants from a secret court for intelligence wiretaps involving people in the United States. She rejected the administration's repeated assertions that a 2001 Congressional authorization and the president's constitutional authority allowed the program." From a New York Times article "Judge Finds Wiretap Actions Violate the Law" 8/18/06 and the Memorandum Opinion.

(I) In July 2007, the Sixth Circuit Court of Appeals dismissed the case, ruling the plaintiffs had no standing to sue because, given the secretive nature of the surveillance, they could not state with certainty that they have been wiretapped by the NSA. This ruling did not address the legality of the surveillance so Judge Taylor's decision is the only ruling on that issue. [ACLU Legal Documents]

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXV.—DIRECTING TELECOMMUNICATIONS COMPANIES TO CREATE AN ILLEGAL AND UNCONSTITUTIONAL DATABASE OF THE PRIVATE TELEPHONE NUMBERS AND EMAILS OF AMERICAN CITIZENS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed," has both personally and acting through his agents and subordinates, violated the Stored Communications Act of 1986 and the Telecommunications Act of 1996 by creating of a very large database containing information related to the private telephone calls and emails of American citizens, to wit:

The President requested that telecommunication companies release customer phone records to the government illegally as evidenced by the following:

"The Stored Communications Act of 1986 (SCA) prohibits the knowing disclosure of customer telephone records to the government unless pursuant to subpoena, warrant or a National Security Letter (or other Administrative subpoena); with the customers lawful consent; or there is a business necessity; or an emergency involving the danger of death or serious physical injury. None of these exceptions apply to the circumstance described in the USA Today story." From page 169, "George W Bush versus the US Constitution." Compiled at the direction of Representative John Conyers.

According to a May 11, 2006 article in USA Today by Lesley Cauley "The National Security Agency has been secretly collecting the phone call records of tens of millions of Americans, using data provided by AT&T, Verizon and BellSouth." An unidentified

source said "The agency's goal is to create a database of every call ever made within the nation's borders."

In early 2001, Qwest CEO Joseph Nacchio rejected a request from the NSA to turn over customers records of phone calls, emails and other Internet activity. Nacchio believed that complying with the request would violate the Telecommunications Act of 1996. From National Journal, November 2, 2007.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXVI.—ANNOUNCING THE INTENT TO VIOLATE LAWS WITH SIGNING STATEMENTS, AND VIOLATING THOSE LAWS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed," has used signing statements to claim the right to violate acts of Congress even as he signs them into law.

In June 2007, the Government Accountability Office reported that in a sample of Bush signing statements the office had studied, for 30 percent of them the Bush administration had already proceeded to violate the laws the statements claimed the right to violate.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXVII.—FAILING TO COMPLY WITH CONGRESSIONAL SUBPOENAS AND INSTRUCTING FORMER EMPLOYEES NOT TO COMPLY

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed," has both personally and acting through his agents and subordinates, refused to comply with Congressional subpoenas, and instructed former employees not to comply with subpoenas.

Subpoenas not complied with include:

A House Judiciary Committee subpoena for Justice Department papers and Emails, issued April 10, 2007;

A House Oversight and Government Reform Committee subpoena for the testimony of the Secretary of State, issued April 25, 2007;

A House Judiciary Committee subpoena for the testimony of former White House Counsel Harriet Miers and documents, issued June 13, 2007;

A Senate Judiciary Committee subpoena for documents and testimony of White House Chief of Staff Joshua Bolten, issued June 13, 2007;

A Senate Judiciary Committee subpoena for documents and testimony of White House

Political Director Sara Taylor, issued June 13, 2007 (Taylor appeared but refused to answer questions);

A Senate Judiciary Committee subpoena for documents and testimony of White House Deputy Chief of Staff Karl Rove, issued June 26, 2007;

A Senate Judiciary Committee subpoena for documents and testimony of White House Deputy Political Director J. Scott Jennings, issued June 26, 2007 (Jennings appeared but refused to answer questions);

A Senate Judiciary Committee subpoena for legal analysis and other documents concerning the NSA warrantless wiretapping program from the White House, Vice President Richard Cheney, The Department of Justice, and the National Security Council. If the documents are not produced, the subpoena requires the testimony of White House chief of staff Josh Bolten, Attorney General Alberto Gonzales, Cheney chief of staff David Addington, National Security Council executive director V. Philip Lago, issued June 27, 2007;

A House Oversight and Government Reform Committee subpoena for Lt. General Kensinger.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXVIII.—TAMPERING WITH FREE AND FAIR ELECTIONS, CORRUPTION OF THE ADMINISTRATION OF JUSTICE

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed," has both personally and acting through his agents and subordinates, conspired to undermine and tamper with the conduct of free and fair elections, and to corrupt the administration of justice by United States Attorneys and other employees of the Department of Justice, through abuse of the appointment power.

Toward this end, the President and Vice President, both personally and through their agents, did:

Engage in a program of manufacturing false allegations of voting fraud in targeted jurisdictions where the Democratic Party enjoyed an advantage in electoral performance or otherwise was problematic for the President's Republican Party, in order that public confidence in election results favorable to the Democratic Party be undermined;

Direct United States Attorneys to launch and announce investigations of certain leaders, candidates and elected officials affiliated with the Democratic Party at times calculated to cause the most political damage and confusion, most often in the weeks immediately preceding an election, in order that public confidence in the suitability for office of Democratic Party leaders, candidates and elected officials be undermined;

Direct United States Attorneys to terminate or scale back existing investigations of certain Republican Party leaders, candidates and elected officials allied with the George W. Bush administration, and to refuse to pursue new or proposed investigations of certain Republican Party leaders, candidates

and elected officials allied with the George W. Bush administration, in order that public confidence in the suitability of such Republican Party leaders, candidates and elected officials be bolstered or restored;

Threaten to terminate the employment of the following United States Attorneys who refused to comply with such directives and purposes;

David C. Iglesias as U.S. Attorney for the District of New Mexico;

Kevin V. Ryan as U.S. Attorney for the Northern District of California;

John L. McKay as U.S. Attorney for the Western District of Washington;

Paul K. Charlton as U.S. Attorney for the District of Arizona;

Carol C. Lam as U.S. Attorney for the Southern District of California;

Daniel G. Bogden as U.S. Attorney for the District of Nevada;

Margaret M. Chiara as U.S. Attorney for the Western District of Michigan;

Todd Graves as U.S. Attorney for the Western District of Missouri;

Harry E. "Bud" Cummins, III as U.S. Attorney for the Eastern District of Arkansas;

Thomas M. DiBiagio as U.S. Attorney for the District of Maryland, and;

Kasey Warner as U.S. Attorney for the Southern District of West Virginia.

Further, George W. Bush has both personally and acting through his agents and subordinates, together with the Vice President conspired to obstruct the lawful Congressional investigation of these dismissals of United States Attorneys and the related scheme to undermine and tamper with the conduct of free and fair elections, and to corrupt the administration of justice.

Contrary to his oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, George W. Bush has without lawful cause or excuse directed not to appear before the Committee on the Judiciary of the House of Representatives certain witnesses summoned by duly authorized subpoenas issued by that Committee on June 13, 2007.

In refusing to permit the testimony of these witnesses George W. Bush, substituting his judgment as to what testimony was necessary for the inquiry, interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, thereby assuming to himself functions and judgments necessary to the exercise of the checking and balancing power of oversight vested in the House of Representatives.

Further, the President has both personally and acting through his agents and subordinates, together with the Vice President directed the United States Attorney for the District of Columbia to decline to prosecute for contempt of Congress the aforementioned witnesses, Joshua B. Bolten and Harriet E. Miers, despite the obligation to do so as established by statute (2 U.S.C. §194) and pursuant to the direction of the United States House of Representatives as embodied in its resolution (H. Res. 982) of February 14, 2008.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXIX.—CONSPIRACY TO VIOLATE THE VOTING RIGHTS ACT OF 1965

In his conduct while President of the United States, George W. Bush, in violation

of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed," has both personally and acting through his agents and subordinates, has willfully corrupted and manipulated the electoral process of the United States for his personal gain and the personal gain of his co-conspirators and allies; has violated the United States Constitution and law by failing to protect the civil rights of African-American voters and others in the 2004 Election, and has impeded the right of the people to vote and have their vote properly and accurately counted, in that:

A. On November 5, 2002, and prior thereto, James Tobin, while serving as the regional director of the National Republican Senatorial Campaign Committee and as the New England Chairman of Bush-Cheney '04 Inc., did, at the direction of the White House under the administration of George W. Bush, along with other agents both known and unknown, commit unlawful acts by aiding and abetting a scheme to use computerized hang-up calls to jam phone lines set up by the New Hampshire Democratic Party and the Manchester firefighters' union on Election Day;

B. An investigation by the Democratic staff of the House Judiciary Committee into the voting procedures in Ohio during the 2004 election found "widespread instances of intimidation and misinformation in violation of the Voting Rights Act, the Civil Rights Act of 1968, Equal Protection, Due Process and the Ohio right to vote;"

C. The 14th Amendment Equal Protection Clause guarantees that no minority group will suffer disparate treatment in a federal, state, or local election in stating that: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." However, during and at various times of the year 2004, John Kenneth Blackwell, then serving as the Secretary of State for the State of Ohio and also serving simultaneously as Co-Chairman of the Committee to Re-Elect George W. Bush in the State of Ohio, did, at the direction of the White House under the administration of George W. Bush, along with other agents both known and unknown, commit unlawful acts in violation of the Equal Protection Clause of the 14th Amendment to the United States Constitution by failing to protect the voting rights of African-American citizens in Ohio and further, John Kenneth Blackwell did disenfranchise African-American voters under color of law, by

(i) Willfully denying certain neighborhoods in the cities of Cleveland, Ohio and Columbus, Ohio, along with other urban areas in the State of Ohio, an adequate number of electronic voting machines and provisional paper ballots, thereby unlawfully impeding duly registered voters from the act of voting and thus violating the civil rights of an unknown number of United States citizens.

a. In Franklin County, George W. Bush and his agent, Ohio Secretary of State John Kenneth Blackwell, Co-Chair of the Bush-Cheney Re-election Campaign, failed to protect the rights of African-American voters by not properly investigating the withholding of 125 electronic voting machines assigned to the city of Columbus.

b. Forty-two African-American precincts in Columbus were each missing one voting machine that had been present in the 2004 primary.

c. African-American voters in the city of Columbus were forced to wait three to seven hours to vote in the 2004 presidential election.

(ii) Willfully issuing unclear and conflicting rules regarding the methods and manner of becoming a legally registered voter in the State of Ohio, and willfully issuing unclear and unnecessary edicts regarding the weight of paper registration forms legally acceptable to the State of Ohio, thereby creating confusion for both voters and voting officials and thus impeding the right of an unknown number of United States citizens to register and vote.

a. Ohio Secretary of State John Kenneth Blackwell directed through Advisory 2004-31 that voter registration forms, which were greatest in urban minority areas, should not be accepted and should be returned unless submitted on 80 bond paper weight. Blackwell's own office was found to be using 60 bond paper weight.

(iii) Willfully permitted and encouraged election officials in Cleveland, Cincinnati and Toledo to conduct a massive partisan purge of registered voter rolls, eventually expunging more than 300,000 voters, many of whom were duly registered voters, and who were thus deprived of their constitutional right to vote;

a. Between the 2000 and 2004 Ohio presidential elections, 24.93% of the voters in the city of Cleveland, a city with a majority of African American citizens, were purged from the voting rolls.

b. In that same period, the Ohio county of Miami, with census data indicating a 98% Caucasian population, refused to purge any voters from its rolls. Miami County "merged" voters from other surrounding counties into its voting rolls and even allowed voters from other states to vote.

c. In Toledo, Ohio, an urban city with a high African-American concentration, 28,000 voters were purged from the voting rolls in August of 2004, just prior to the presidential election. This purge was conducted under the control and direction of George W. Bush's agent, Ohio Secretary of State John Kenneth Blackwell outside of the regularly established cycle of purging voters in odd-numbered years.

(iv) Willfully allowing Ohio Secretary of State John Kenneth Blackwell, acting under color of law and as an agent of George W. Bush, to issue a directive that no votes would be counted unless cast in the right precinct, reversing Ohio's long-standing practice of counting votes for president if cast in the right county.

(v) Willfully allowing his agent, Ohio Secretary of State John Kenneth Blackwell, the Co-Chair of the Bush-Cheney Re-election Campaign, to do nothing to assure the voting rights of 10,000 people in the city of Cleveland when a computer error by the private vendor Diebold Election Systems, Inc. incorrectly disenfranchised 10,000 voters

(vi) Willfully allowing his agent, Ohio Secretary of State John Kenneth Blackwell, the Co-Chair of the Bush-Cheney Re-election Campaign, to ensure that uncounted and provisional ballots in Ohio's 2004 presidential election would be disproportionately concentrated in urban African-American districts.

a. In Ohio's Lucas County, which includes Toledo, 3,122 or 41.13% of the provisional ballots went uncounted under the direction of George W. Bush's agent, the Secretary of State of Ohio, John Kenneth Blackwell, Co-Chair of the Committee to Re-Elect Bush/Cheney in Ohio.

b. In Ohio's Cuyahoga County, which includes Cleveland, 8,559 or 32.82% of the provisional ballots went uncounted.

c. In Ohio's Hamilton County, which includes Cincinnati, 3,529 or 24.23% of the provisional ballots went uncounted.

d. Statewide, the provisional ballot rejection rate was 9% as compared to the greater figures in the urban areas.

D. The Department of Justice, charged with enforcing the Voting Rights Act of 1965, the 14th Amendment's Equal Protection Clause, and other voting rights laws in the United States of America, under the direction and Administration of George W. Bush did willfully and purposely obstruct and stonewall legitimate criminal investigations into myriad cases of reported electoral fraud and suppression in the state of Ohio. Such activities, carried out by the department on behalf of George W. Bush in counties such as Franklin and Knox by persons such as John K. Tanner and others, were meant to confound and whitewash legitimate legal criminal investigations into the suppression of massive numbers of legally registered voters and the removal of their right to cast a ballot fairly and freely in the state of Ohio, which was crucial to the certified electoral victory of George W. Bush in 2004.

E. On or about November 1, 2006, members of the United States Department of Justice, under the control and direction of the Administration of George W. Bush, brought indictments for voter registration fraud within days of an election, in order to directly effect the outcome of that election for partisan purposes, and in doing so, thereby violated the Justice Department's own rules against filing election-related indictments close to an election;

F. Emails have been obtained showing that the Republican National Committee and members of Bush-Cheney '04 Inc., did, at the direction of the White House under the administration of George W. Bush, engage in voter suppression in five states by a method known as "vote caging," an illegal voter suppression technique;

G. Agents of George W. Bush, including Mark F. "Thor" Hearne, the national general counsel of Bush/Cheney '04 Inc., did, at the behest of George W. Bush, as members of a criminal front group, distribute known false information and propaganda in the hopes of forwarding legislation and other actions that would result in the disenfranchisement of Democratic voters for partisan purposes. The scheme, run under the auspices of an organization known as "The American Center for Voting Rights" (ACVR), was funded by agents of George W. Bush in violation of laws governing tax exempt 501(c)(3) organizations and in violation of federal laws forbidding the distribution of such propaganda by the federal government and agents working on its behalf.

H. Members of the United States Department of Justice, under the control and direction of the Administration of George W. Bush, did, for partisan reasons, illegally and with malice aforethought block career attorneys and other officials in the Department of Justice from filing three lawsuits charging local and county governments with violating the voting rights of African-Americans and other minorities, according to seven former senior United States Justice Department employees.

I. Members of the United States Department of Justice, under the control and direction of the Administration of George W. Bush, did illegally and with malice aforethought derail at least two investigations into possible voter discrimination, according to a letter sent to the Senate Rules and Administration Committee and written by former employees of the United States Department of Justice, Voting Rights Section.

J. Members of the United States Election Assistance Commission (EAC), under the control and direction of the Administration of George W. Bush, have purposefully and

willfully misled the public, in violation of several laws, by;

(i) Withholding from the public and then altering a legally mandated report on the true measure and threat of Voter Fraud, as commissioned by the EAC and completed in June 2006, prior to the 2006 mid-term election, but withheld from release prior to that election when its information would have been useful in the administration of elections across the country, because the results of the statutorily required and tax-payer funded report did not conform with the illegal, partisan propaganda efforts and politicized agenda of the Bush Administration;

(ii) Withholding from the public a legally mandated report on the disenfranchising effect of Photo Identification laws at the polling place, shown to disproportionately disenfranchise voters not of George W. Bush's political party. The report was commissioned by the EAC and completed in June 2006, prior to the 2006 mid-term election, but withheld from release prior to that election when its information would have been useful in the administration of elections across the country

(iii) Withholding from the public a legally mandated report on the effectiveness of Provisional Voting as commissioned by the EAC and completed in June 2006, prior to the 2006 mid-term election, but withheld from release prior to that election when its information would have been useful in the administration of elections across the country, and keeping that report unreleased for more than a year until it was revealed by independent media outlets.

For directly harming the rights and manner of suffrage, for suffering to make them secret and unknowable, for overseeing and participating in the disenfranchisement of legal voters, for instituting debates and doubts about the true nature of elections, all against the will and consent of local voters affected, and forced through threats of litigation by agents and agencies overseen by George W. Bush, the actions of Mr. Bush to do the opposite of securing and guaranteeing the right of the people to alter or abolish their government via the electoral process, being a violation of an inalienable right, and an immediate threat to Liberty.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXX.—MISLEADING CONGRESS AND THE AMERICAN PEOPLE IN AN ATTEMPT TO DESTROY MEDICARE

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, pursued policies which deliberately drained the fiscal resources of Medicare by forcing it to compete with subsidized private insurance plans which are allowed to arbitrarily select or not select those they will cover; failing to provide reasonable levels of reimbursements to Medicare providers, thereby discouraging providers from participating in the program, and designing a Medi-

care Part D benefit without cost controls which allowed pharmaceutical companies to gouge the American taxpayers for the price of prescription drugs.

The President created, manipulated, and disseminated information given to the citizens and Congress of the United States in support of his prescription drug plan for Medicare that enriched drug companies while failing to save beneficiaries sufficient money on their prescription drugs. He misled Congress and the American people into thinking the cost of the benefit was \$400 billion. It was widely understood that if the cost exceeded that amount, the bill would not pass due to concerns about fiscal irresponsibility.

A Medicare Actuary who possessed information regarding the true cost of the plan, \$539 billion, was instructed by the Medicare Administrator to deny Congressional requests for it. The Actuary was threatened with sanctions if the information was disclosed to Congress, which, unaware of the information, approved the bill. Despite the fact that official cost estimates far exceeded \$400 billion, President Bush offered assurances to Congress that the cost was \$400 billion, when his office had information to the contrary. In the House of Representatives, the bill passed by a single vote and the Conference Report passed by only 5 votes. The White House knew the actual cost of the drug benefit was high enough to prevent its passage. Yet the White House concealed the truth and impeded an investigation into its culpability.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXXI.—KATRINA: FAILURE TO PLAN FOR THE PREDICTED DISASTER OF HURRICANE KATRINA, FAILURE TO RESPOND TO A CIVIL EMERGENCY

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, failed to take sufficient action to protect life and property prior to and in the face of Hurricane Katrina in 2005, given decades of foreknowledge of the dangers of storms to New Orleans and specific forewarning in the days prior to the storm. The President failed to prepare for predictable and predicted disasters, failed to respond to an immediate need of which he was informed, and has subsequently failed to rebuild the section of our nation that was destroyed.

Hurricane Katrina killed at least 1,282 people, with 2 million more displaced. 302,000 housing units were destroyed or damaged by the hurricane, 71% of these were low-income units. More than 500 sewage plants were destroyed, more than 170 point-source leakages of gasoline, oil, or natural gas, more than 2000 gas stations submerged, several chemical plants, 8 oil refineries, and a superfund site was submerged. 8 million gallons of oil were spilled. Toxic materials seeped into floodwaters and spread through much of the city and surrounding areas.

The predictable increased strength of hurricanes such as Katrina has been identified

by scientists for years, and yet the Bush Administration has denied this science and restricted such information from official reports, publications, and the National Oceanic and Atmospheric Agency's website. Donald Kennedy, editor-in-chief of Science, wrote in 2006 that "hurricane intensity has increased with oceanic surface temperatures over the past 30 years. The physics of hurricane intensity growth . . . has clarified and explained the thermodynamic basis for these observations. [Kerry] Emanuel has tested this relationship and presented convincing evidence."

FEMA's 2001 list of the top three most likely and most devastating disasters were a San Francisco earthquake, a terrorist attack on New York, and a Category 4 hurricane hitting New Orleans, with New Orleans being the number one item on that list. FEMA conducted a five-day hurricane simulation exercise in 2004, "Hurricane Pam," mimicking a Katrina-like event. This exercise combined the National Weather Service, the U.S. Army Corps of Engineers, the LSU Hurricane Center and other state and federal agencies, resulting in the development of emergency response plans. The exercise demonstrated, among other things, that thousands of mainly indigent New Orleans residents would be unable to evacuate on their own. They would need substantial government assistance. These plans, however, were not implemented in part due to the President's slashing of funds for protection. In the year before Hurricane Katrina hit, the President continued to cut budgets and deny grants to the Gulf Coast. In June of 2004 the Army Corps of Engineers levee budget for New Orleans was cut, and it was cut again in June of 2005, this time by \$71.2 million or a whopping 44% of the budget. As a result, ACE was forced to suspend any repair work on the levees. In 2004 FEMA denied a Louisiana disaster mitigation grant request.

The President was given multiple warnings that Hurricane Katrina had a high likelihood of causing serious damage to New Orleans and the Gulf Coast. At 10 AM on Sunday 28 August 2005, the day before the storm hit, the National Weather Service published an alert titled "DEVASTATING DAMAGE EXPECTED." Printed in all capital letters, the alert stated that "MOST OF THE AREA WILL BE UNINHABITABLE FOR WEEKS . . . PERHAPS LONGER. AT LEAST ONE HALF OF WELL CONSTRUCTED HOMES WILL HAVE ROOF AND WALL FAILURE. . . . POWER OUTAGES WILL LAST FOR WEEKS. . . . WATER SHORTAGES WILL MAKE HUMAN SUFFERING INCREDIBLE BY MODERN STANDARDS."

The Homeland Security Department also briefed the President on the scenario, warning of levee breaches and severe flooding. According to the New York Times, "a Homeland Security Department report submitted to the White House at 1:47 a.m. on Aug. 29, hours before the storm hit, said, 'Any storm rated Category 4 or greater will likely lead to severe flooding and/or levee breaching.'" These warnings clearly contradict the statements made by President Bush immediately after the storm that such devastation could not have been predicted. On 1 September 2005 the President said "I don't think anyone anticipated the breach of the levees."

The President's response to Katrina via FEMA and DHS was criminally delayed, indifferent, and inept. The only FEMA employee posted in New Orleans in the immediate aftermath of Hurricane Katrina, Marty Bahamonde, emailed head of FEMA Michael Brown from his Blackberry device on August 31, 2005 regarding the conditions. The email was urgent and detailed and indicated that "The situation is past critical . . . Estimates are many will die within hours." Brown's reply was emblematic of the administration's entire response to the catastrophe:

"Thanks for the update. Anything specific I need to do or tweak?" The Secretary of Homeland Security, Michael Chertoff, did not declare an emergency, did not mobilize the federal resources, and seemed to not even know what was happening on the ground until reporters told him.

On Friday August 26, 2005, Governor Kathleen Blanco declared a State of Emergency in Louisiana and Governor Haley Barbour of Mississippi followed suit the next day. Also on that Saturday, Governor Blanco asked the President to declare a Federal State of Emergency, and on 28 August 2005, the Sunday before the storm hit, Mayor Nagin declared a State of Emergency in New Orleans. This shows that the local authorities, responding to federal warnings, knew how bad the destruction was going to be and anticipated being overwhelmed. Failure to act under these circumstances demonstrates gross negligence.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and Commander in Chief, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXXII.—MISLEADING CONGRESS AND THE AMERICAN PEOPLE, SYSTEMATICALLY UNDERMINING EFFORTS TO ADDRESS GLOBAL CLIMATE CHANGE

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, ignored the peril to life and property posed by global climate change, manipulated scientific information and mishandled protective policy, constituting nonfeasance and malfeasance in office, abuse of power, dereliction of duty, and deception of Congress and the American people.

President Bush knew the expected effects of climate change and the role of human activities in driving climate change. This knowledge preceded his first Presidential term.

1. During his 2000 Presidential campaign, he promised to regulate carbon dioxide emissions.

2. In 2001, the Intergovernmental Panel on Climate Change, a global body of hundreds of the world's foremost experts on climate change, concluded that "most of observed warming over last 50 years (is) likely due to increases in greenhouse gas concentrations due to human activities." The Third Assessment Report projected several effects of climate change such as continued "widespread retreat" of glaciers, an "increase threats to human health, particularly in lower income populations, predominantly within tropical/subtropical countries," and "water shortages."

3. The grave danger to national security posed by global climate change was recognized by the Pentagon's Defense Advanced Planning Research Projects Agency in October of 2003. An agency-commissioned report "explores how such an abrupt climate change scenario could potentially destabilize the geo-political environment, leading to skirmishes, battles, and even war due to resource constraints such as: 1) Food short-

ages due to decreases in net global agricultural production 2) Decreased availability and quality of fresh water in key regions due to shifted precipitation patterns, causing more frequent floods and droughts 3) Disrupted access to energy supplies due to extensive sea ice and storminess."

4. A December 2004 paper in *Science* reviewed 928 studies published in peer reviewed journals to determine the number providing evidence against the existence of a link between anthropogenic emissions of carbon dioxide and climate change. "Remarkably, none of the papers disagreed with the consensus position."

5. The November 2007 Inter-Governmental Panel on Climate Change (IPCC) Fourth Assessment Report showed that global anthropogenic emissions of greenhouse gases have increased 70% between 1970 and 2004, and anthropogenic emissions are very likely the cause of global climate change. The report concluded that global climate change could cause the extinction of 20 to 30 percent of species in unique ecosystems such as the polar areas and biodiversity hotspots, increase extreme weather events especially in the developing world, and have adverse effects on food production and fresh water availability.

The President has done little to address this most serious of problems, thus constituting an abuse of power and criminal neglect. He has also actively endeavored to undermine efforts by the federal government, states, and other nations to take action on their own.

1. In March 2001, President Bush announced the U.S. would not be pursuing ratification of the Kyoto Protocol, an international effort to reduce greenhouse gases. The United States is the only industrialized nation that has failed to ratify the accord.

2. In March of 2008, Representative Henry Waxman wrote to EPA Administrator Stephen Johnson: "In August 2003, the Bush Administration denied a petition to regulate CO₂ emissions from motor vehicles by deciding that CO₂ was not a pollutant under the Clean Air Act. In April 2007, the U.S. Supreme Court overruled that determination in *Massachusetts v. EPA*. The Supreme Court wrote that 'If EPA makes a finding of endangerment, the Clean Air Act requires the agency to regulate emissions of the deleterious pollutant from new motor vehicles.' The EPA then conducted an extensive investigation involving 60-70 staff who concluded that 'CO₂ emissions endanger both human health and welfare.' These findings were submitted to the White House, after which work on the findings and the required regulations was halted."

3. A Memo to Members of the Committee on Oversight and Government Reform on May 19, 2008 stated "The record before the Committee shows: (1) the career staff at EPA unanimously supported granting California's petition (to be allowed to regulate greenhouse gas emissions from cars and trucks, consistent with California state law); (2) Stephen Johnson, the Administrator of EPA, also supported granting California's petition at least in part; and (3) Administrator Johnson reversed his position after communications with officials in the White House."

The President has suppressed the release of scientific information related to global climate change, an action which undermines Congress' ability to legislate and provide oversight, and which has thwarted efforts to prevent global climate change despite the serious threat that it poses.

1. In February, 2001, ExxonMobil wrote a memo to the White House outlining ways to influence the outcome of the Third Assessment report by the Intergovernmental Panel on Climate Change. The memo opposed the

reelection of Dr. Robert Watson as the IPCC Chair. The White House then supported an opposition candidate, who was subsequently elected to replace Dr. Watson.

2. The New York Times on January 29, 2006, reported that James Hansen, NASA's senior climate scientist was warned of "dire consequences" if he continued to speak out about global climate change and the need for reducing emissions of associated gasses. The Times also reported that: "At climate laboratories of the National Oceanic and Atmospheric Administration, for example, many scientists who routinely took calls from reporters five years ago can now do so only if the interview is approved by administration officials in Washington, and then only if a public affairs officer is present or on the phone."

3. In December of 2007, the House Committee on Oversight and Government Reform issued a report based on 16 months of investigation and 27,000 pages of documentation. According to the summary: "The evidence before the Committee leads to one inescapable conclusion: the Bush Administration has engaged in a systematic effort to manipulate climate change science and mislead policy makers and the public about the dangers of global warming." The report described how the White House appointed former petroleum industry lobbyist Phil Cooney as head of the Council on Environmental Quality. The report states "There was a systematic White House effort to minimize the significance of climate change by editing climate change reports. CEQ Chief of Staff Phil Cooney and other CEQ officials made at least 294 edits to the Administration's Strategic Plan of the Climate Change Science Program to exaggerate or emphasize scientific uncertainties or to de-emphasize or diminish the importance of the human role in global warming."

4. On April 23, 2008, Representative Henry Waxman wrote a letter to EPA Administrator Stephen L. Johnson. In it he reported: "Almost 1,600 EPA scientists completed the Union of Concerned Scientists survey questionnaire. Over 22 percent of these scientists reported that 'selective or incomplete use of data to justify a specific regulatory outcome' occurred 'frequently' or 'occasionally' at EPA. Ninety-four EPA scientists reported being frequently or occasionally directed to inappropriately exclude or alter technical information from an EPA scientific document. Nearly 200 EPA scientists said that they have frequently or occasionally been in situations in which scientists have actively objected to, resigned from or removed themselves from a project because of pressure to change scientific findings."

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXXIII.—REPEATEDLY IGNORED AND FAILED TO RESPOND TO HIGH LEVEL INTELLIGENCE WARNINGS OF PLANNED TERRORIST ATTACKS IN THE US, PRIOR TO 911

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and

subordinates, together with the Vice President, failed in his Constitutional duties to take proper steps to protect the nation prior to September 11, 2001.

The White House's top counter-terrorism adviser, Richard A. Clarke, has testified that from the beginning of George W. Bush's presidency until September 11, 2001, Clarke attempted unsuccessfully to persuade President Bush to take steps to protect the nation against terrorism. Clarke sent a memorandum to then-National Security Advisor Condoleezza Rice on January 24, 2001, "urgently" but unsuccessfully requesting "a Cabinet-level meeting to deal with the impending al Qaeda attack."

In April 2001, Clarke was finally granted a meeting, but only with second-in-command department representatives, including Deputy Secretary of Defense Paul Wolfowitz, who made light of Clarke's concerns.

Clarke confirms that in June, July, and August 2001, the Central Intelligence Agency (CIA) warned the president in daily briefings of unprecedented indications that a major al Qaeda attack was going to happen against the United States somewhere in the world in the weeks and months ahead. Yet, Clarke was still unable to convene a cabinet-level meeting to address the issue.

Condoleezza Rice has testified that George Tenet met with the president 40 times to warn him that a major al-Qaeda attack was going to take place, and that in response the president did not convene any meetings of top officials. At such meetings, the FBI could have shared information on possible terrorists enrolled at flight schools. Among the many preventive steps that could have been taken, the Federal Aviation Administration, airlines, and airports might have been put on full alert.

According to Condoleezza Rice, the first and only cabinet-level meeting prior to 9/11 to discuss the threat of terrorist attacks took place on September 4, 2001, one week before the attacks in New York and Washington.

On August 6, 2001, President Bush was presented a President's Daily Brief (PDB) article titled "Bin Laden Determined to Strike in U.S." The lead sentence of that PDB article indicated that Bin Laden and his followers wanted to "follow the example of World Trade Center bomber Ramzi Yousef and 'bring the fighting to America.'" The article warned: "Al-Qa'ida members—including some who are U.S. citizens—have resided in or traveled to the US for years, and the group apparently maintains a support structure that could aid attacks."

The article cited a "more sensational threat reporting that Bin Laden wanted to hijack a US aircraft," but indicated that the CIA had not been able to corroborate such reporting. The PDB item included information from the FBI indicating "patterns of suspicious activity in this country consistent with preparations for hijackings or other types of attacks, including recent surveillance of federal buildings in New York." The article also noted that the CIA and FBI were investigating "a call to our embassy in the UAE in May saying that a group of Bin Laden supporters was in the US planning attacks with explosives."

The president spent the rest of August 6, and almost all the rest of August 2001 on vacation. There is no evidence that he called any meetings of his advisers to discuss this alarming report. When the title and substance of this PDB article were later reported in the press, then-National Security Adviser Condoleezza Rice began a sustained campaign to play down its significance, until the actual text was eventually released by the White House.

New York Times writer Douglas Jehl, put it this way: "In a single 17-sentence docu-

ment, the intelligence briefing delivered to President Bush in August 2001 spells out the who, hints at the what and points towards the where of the terrorist attacks on New York and Washington that followed 36 days later."

Eleanor Hill, Executive Director of the joint congressional committee investigating the performance of the U.S. intelligence community before September 11, 2001, reported in mid-September 2002 that intelligence reports a year earlier "reiterated a consistent and constant theme: Osama bin Laden's intent to launch terrorist attacks inside the United States."

That joint inquiry revealed that just two months before September 11, an intelligence briefing for "senior government officials" predicted a terrorist attack with these words: "The attack will be spectacular and designed to inflict mass casualties against U.S. facilities or interests. Attack preparations have been made. Attack will occur with little or no warning."

Given the White House's insistence on secrecy with regard to what intelligence was given to President Bush, the joint-inquiry report does not divulge whether he took part in that briefing. Even if he did not, it strains credulity to suppose that those "senior government officials" would have kept its alarming substance from the president.

Again, there is no evidence that the president held any meetings or took any action to deal with the threats of such attacks.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXXIV.—OBSTRUCTION OF INVESTIGATION INTO THE ATTACKS OF SEPTEMBER 11, 2001

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution "to take care that the laws be faithfully executed", has both personally and acting through his agents and subordinates, together with the Vice President, obstructed investigations into the attacks on the World Trade Center and Pentagon on September 11, 2001.

Following September 11, 2001, President Bush and Vice President Cheney took strong steps to thwart any and all proposals that the circumstances of the attack be addressed. Then-Secretary of State Colin Powell was forced to renege on his public promise on September 23 that a "White Paper" would be issued to explain the circumstances. Less than two weeks after that promise, Powell apologized for his "unfortunate choice of words," and explained that Americans would have to rely on "information coming out in the press and in other ways."

On Sept. 26, 2001, President Bush drove to Central Intelligence Agency (CIA) headquarters in Langley, Virginia, stood with Director of Central Intelligence George Tenet and said: "My report to the nation is, we've got the best intelligence we can possibly have thanks to the men and women of the C.I.A." George Tenet subsequently and falsely claimed not to have visited the president personally between the start of Bush's long Crawford vacation and September 11, 2001.

Testifying before the 9/11 Commission on April 14, 2004, Tenet answered a question from Commission member Timothy Roemer by referring to the president's vacation (July 29–August 30) in Crawford and insisting that he did not see the president at all in August 2001. "You never talked with him?" Roemer asked. "No," Tenet replied, explaining that for much of August he too was "on leave." An Agency spokesman called reporters that same evening to say Tenet had misspoken, and that Tenet had briefed Bush on August 17 and 31. The spokesman explained that the second briefing took place after the president had returned to Washington, and played down the first one, in Crawford, as uneventful.

In his book, *At the Center of the Storm*, (2007) Tenet refers to what is almost certainly his August 17 visit to Crawford as a follow-up to the "Bin Laden Determined to Strike in the U.S." article in the CIA-prepared President's Daily Brief of August 6. That briefing was immortalized in a Time Magazine photo capturing Harriet Myers holding the PDB open for the president, as two CIA officers sit by. It is the same briefing to which the president reportedly reacted by telling the CIA briefer, "All right, you've covered your ass now." (Ron Suskind, *The One-Percent Doctrine*, p. 2, 2006). In *At the Center of the Storm*, Tenet writes: "A few weeks after the August 6 PDB was delivered, I followed it to Crawford to make sure that the president stayed current on events."

A White House press release suggests Tenet was also there a week later, on August 24. According to the August 25, 2001, release, President Bush, addressing a group of visitors to Crawford on August 25, told them: "George Tenet and I, yesterday, we piled in the new nominees for the Chairman of the Joint Chiefs, the Vice Chairman and their wives and went right up the canyon."

In early February 2002, Vice President Dick Cheney warned then-Senate Majority Leader Tom Daschle that if Congress went ahead with an investigation, administration officials might not show up to testify. As pressure grew for an investigation, the president and vice president agreed to the establishment of a congressional joint committee to conduct a "Joint Inquiry." Eleanor Hill, Executive Director of the Inquiry, opened the Joint Inquiry's final public hearing in mid-September 2002 with the following disclaimer: "I need to report that, according to the White House and the Director of Central Intelligence, the president's knowledge of intelligence information relevant to this inquiry remains classified, even when the substance of the intelligence information has been declassified."

The National Commission on Terrorist Attacks, also known as the 9/11 Commission, was created on November 27, 2002, following the passage of congressional legislation signed into law by President Bush. The President was asked to testify before the Commission. He refused to testify except for one hour in private with only two Commission members, with no oath administered, with no recording or note taking, and with the Vice President at his side. Commission Co-Chair Lee Hamilton has written that he believes the commission was set up to fail, was underfunded, was rushed, and did not receive proper cooperation and access to information.

A December 2007 review of classified documents by former members of the Commission found that the commission had made repeated and detailed requests to the CIA in 2003 and 2004 for documents and other information about the interrogation of operatives of Al Qaeda, and had been told falsely by a top C.I.A. official that the agency had "produced or made available for review" everything that had been requested.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

ARTICLE XXXV.—ENDANGERING THE HEALTH OF
9/11 FIRST RESPONDERS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution “to take care that the laws be faithfully executed”, has both personally and acting through his agents and subordinates, together with the Vice President, recklessly endangered the health of first responders, residents, and workers at and near the former location of the World Trade Center in New York City.

The Inspector General of the Environmental Protection Agency (EPA) August 21, 2003, report numbered 2003-P-00012 and entitled “EPA’s Response to the World Trade Center Collapse: Challenges, Successes, and Areas for Improvement,” includes the following findings:

“[W]hen EPA made a September 18 announcement that the air was ‘safe’ to breathe, it did not have sufficient data and analyses to make such a blanket statement. At that time, air monitoring data was lacking for several pollutants of concern, including particulate matter and polychlorinated biphenyls (PCBs). Furthermore, The White House Council on Environmental Quality (CEQ) influenced, through the collaboration process, the information that EPA communicated to the public through its early press releases when it convinced EPA to add reassuring statements and delete cautionary ones.

“As a result of the White House CEQ’s influence, guidance for cleaning indoor spaces and information about the potential health effects from WTC debris were not included in EPA-issued press releases. In addition, based on CEQ’s influence, reassuring information was added to at least one press release and cautionary information was deleted from EPA’s draft version of that press release . . . The White House’s role in EPA’s public communications about WTC environmental conditions was described in a September 12, 2001, e-mail from the EPA Deputy Administrator’s Chief of Staff to senior EPA officials:

“All statements to the media should be cleared through the NSC [National Security Council] before they are released.”

“According to the EPA Chief of Staff, one particular CEQ official was designated to work with EPA to ensure that clearance was obtained through NSC. The Associate Administrator for the EPA Office of Communications, Education, and Media Relations (OCEMR) said that no press release could be issued for a 3- to 4-week period after September 11 without approval from the CEQ contact.”

Acting EPA Administrator Marianne Horinko, who sat in on EPA meetings with the White House, has said in an interview that the White House played a coordinating role. The National Security Council played the key role, filtering incoming data on ground zero air and water. Horinko said: “I think that the thinking was, these are experts in WMD (weapons of mass destruction), so they should have the coordinating role.”

In the cleanup of the Pentagon following September 11, 2001, Occupational Safety and Health Administration laws were enforced, and no workers became ill. At the World Trade Center site, the same laws were not enforced.

In the years since the release of the EPA Inspector General’s above-cited report, the Bush Administration has still not effected a clean-up of the indoor air in apartments and workspaces near the site.

Screenings conducted at the Mount Sinai Medical Center and released in the September 10, 2004, Morbidity and Mortality Weekly Report (MMWR) of the federal Centers For Disease Control and Prevention (CDC), produced the following results:

“Both upper and lower respiratory problems and mental health difficulties are widespread among rescue and recovery workers who dug through the ruins of the World Trade Center in the days following its destruction in the attack of September 11, 2001.

“An analysis of the screenings of 1,138 workers and volunteers who responded to the World Trade Center disaster found that nearly three-quarters of them experienced new or worsened upper respiratory problems at some point while working at Ground Zero. And half of those examined had upper and/or lower respiratory symptoms that persisted up to the time of their examinations, an average of eight months after their WTC efforts ended.”

A larger study released in 2006 found that roughly 70 percent of nearly 10,000 workers tested at Mount Sinai from 2002 to 2004 reported that they had new or substantially worsened respiratory problems while or after working at ground zero. This study showed that many of the respiratory ailments, including sinusitis and asthma, and gastrointestinal problems related to them, initially reported by ground zero workers persisted or grew worse over time. Most of the ground zero workers in the study who reported trouble breathing while working there were still having those problems two and a half years later, an indication of chronic illness unlikely to improve over time.

In all of these actions and decisions, President George W. Bush has acted in a manner contrary to his trust as President, and subversive of constitutional government, to the prejudice of the cause of law and justice and to the manifest injury of the people of the United States. Wherefore, President George W. Bush, by such conduct, is guilty of an impeachable offense warranting removal from office.

The SPEAKER pro tempore (Ms. SUTTON). The resolution qualifies.

Under the previous order of the House of June 10, the previous question is ordered without intervening motion except one motion to refer.

MOTION TO REFER OFFERED BY MR. KUCINICH

Mr. KUCINICH. Madam Speaker, I move that the House refer the impeachment resolution to the Committee on the Judiciary.

The SPEAKER pro tempore. The question is on the motion to refer.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, the noes have it.

Mr. KUCINICH. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Under the previous order of the House of June 10, further proceedings on this question

will be postponed as though under clause 8(a)(1)(A) of rule XX.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BRALEY of Iowa (at the request of Mr. HOYER) for today after 2 p.m. on account of flooding in district.

Mr. CUMMINGS (at the request of Mr. HOYER) for today until 2 p.m.

Mr. MEEK of Florida (at the request of Mr. HOYER) for today.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. WEINER, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

(The following Members (at the request of Mr. MORAN of Kansas) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Georgia, for 5 minutes, today.

Mr. POE, for 5 minutes, June 17.

Mr. JONES of North Carolina, for 5 minutes, June 17.

Mr. BURTON of Indiana, for 5 minutes, today, June 11 and 12.

Ms. FOXX, for 5 minutes, today and June 11.

Mr. McCOTTER, for 5 minutes, June 11.

Mr. BURGESS, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

Mr. FRANKS of Arizona, for 5 minutes, today, June 11 and 12.

Mr. PRICE of Georgia, for 5 minutes, today.

(The following Member (at her request) to revise and extend her remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

ADJOURNMENT

Mr. KUCINICH. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 12 minutes a.m.), the House adjourned until today, Wednesday, June 11, 2008, at 10 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:

7042. A letter from the Chairman, Farm Credit Administration, transmitting the Administration’s final rule — Eligibility and

Scope of Financing; Processing and Marketing (RIN: 3052-AC33) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7043. A letter from the OSD Federal Liaison Officer, DoD, Department of Defense, transmitting the Department's final rule — TRICARE; Certain Survivors of Deceased Active Duty Members; and Adoption Intermediaries [DOD-2006-HA-0194] (RIN: 0720-AB07) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7044. A letter from the OSD Federal Register Liaison Officer, DoD, Department of Defense, transmitting the Department's final rule — User Fees [DoD-2006-OS-0005] (RIN: 0790-AH93) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

7045. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7046. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Project Design and Cost Standards for the Section 202 and Section 811 Programs [Docket No. FR-5097-F-02] (RIN: 2502-AI48) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7047. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Luxembourg pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7048. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Brazil pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7049. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7050. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7051. A letter from the President, Federal Reserve Bank of Dallas, transmitting the Bank's 2007 Annual Report; to the Committee on Financial Services.

7052. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Demands for Testimony or Records in Legal Proceedings [Docket ID ED-2007-OS-0138] received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7053. A letter from the Deputy Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7054. A letter from the Executive Director, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Annual Update of Filing Fees [Docket No. RM08-9-000] received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7055. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Definition of Eligible Portfolio Company under the Investment Company Act of 1940 [Release No. IC-28266; File No. ST-37-04] (RIN: 3235-AJ31) received May 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7056. A letter from the Associate Director, PP&I, Department of the Treasury, transmitting the Department's final rule — Rough Diamonds Control Regulations — received May 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7057. A letter from the Acting Chief Acquisition Officer & Senior Procurement Executive, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; FAR Case 2005-040, Electronic Subcontracting Reporting System (eSRS) [FAC 2005-25; FAR Case 2005-040; Item II; Docket 2008-0001, Sequence 01] (RIN: 9000-AK95) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7058. A letter from the Acting Chief Acquisition Officer & Senior Procurement Executive, GSA, Department of Defense, transmitting the Department's final rule — Federal Acquisition Regulation; FAR Case 2005-040, Electronic Subcontracting Reporting System (eSRS) [FAC 2005-25; FAR Case 2005-040; Item II; Docket 2008-0001, Sequence 01] (RIN: 9000-AK95) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7059. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — REPRESENTATIVE RATE; ORDER OF RELEASE FROM COMPETITIVE LEVEL; ASSIGNMENT RIGHTS (RIN: 3206-AL19) received May 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7060. A letter from the Chief, Branch of Listing, Endangered Species, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Special Rule for the Polar Bear [FWS-R7-ES-2008-0027] [1111 FY07 MO-B2] (RIN: 1018-AV79) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7061. A letter from the Director, Office of Congressional & Legal Affairs — Indian Affairs, Department of the Interior, transmitting the Department's final rule — Gaming on Trust Lands Acquired After October 17, 1988 (RIN: 1076-AE81) received May 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7062. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a copy of a draft bill entitled, "Duck Stamp Improvement Act of 2008"; to the Committee on Natural Resources.

7063. A letter from the Deputy Assistant Administrator For Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Coastal Fisheries Cooperative Management Act Provisions; Weakfish Fishery [Docket No. 070717344-8150-01; I.D. 041907A] (RIN: 0648-AV44) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7064. A letter from the Acting Assistant Administrator For Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Allocating Bering Sea/Aleutian Islands Fishery Resources; American Fisheries Act Sideboards [Docket No.

0612242903-7445-03 and 0612242886-7464-03] (RINs 0648-AU48 and 0648-AU68) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7065. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Vessels in the Bering Sea and Aleutian Islands Trawl Limited Access Fishery in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XH84) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7066. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 ft (18.3 m) LOA Using Pot or Hook-and-Line Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 071106673-8011-02] (RIN: 0648-XH78) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7067. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures [Docket No. 080408542-8615-01] (RIN: 0648-AW63) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7068. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of a class of workers from the Nuclear Materials and Equipment Corporation (NUMEC) facility in Parks Township, Pennsylvania, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7069. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of a class of workers from the Hanford Nuclear Reservation in Richland, Washington, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7070. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of a class of workers from the Horizons, Inc. facility in Cleveland, Ohio, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7071. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of a class of workers from the SAM Laboratories to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7072. A letter from the Acting Chief, Regulatory Management Division, Office of the

Executive Secretariat, Department of Homeland Security, transmitting the Department's final rule — Establishment of a Genealogy Program [CIS No. 2074-00; DHS Docket No. USCIS-2005-0013] (RIN: 1615-AB19) received May 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7073. A letter from the Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting the Department's comments on H.R. 4080, a bill to amend the Immigration and Nationality Act to establish a separate nonimmigrant classification for fashion models; to the Committee on the Judiciary.

7074. A letter from the Secretary, Department of Homeland Security, transmitting the Department's determination on a petition on behalf of a class of workers from the Kellogg/Pierpont facility in Jersey City, New Jersey, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7075. A letter from the Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting the Department's comments on S. 2829, a bill to make technical corrections to Section 1244 of the National Defense Authorization Act for Fiscal Year 2008 (NDAA 2008); to the Committee on the Judiciary.

7076. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the report of the Director of the Executive Office for United States Trustees on the evaluation of instructional classes in personal financial management for consumer bankruptcy debtors, pursuant to Public Law 109-8, section 105; to the Committee on the Judiciary.

7077. A letter from the Director, National Legislative Commission, American Legion, transmitting a copy of the Legion's financial statements as of December 31, 2007, pursuant to 36 U.S.C. 1101(4) and 1103; to the Committee on the Judiciary.

7078. A letter from the Director, Office of Science and Technology Policy, Executive Office of the President, transmitting the Office's Revised Research Plan for the U.S. Climate Change Science Program and the Scientific Assessment of the Effects of Global Change on the United States; to the Committee on Science and Technology.

7079. A letter from the Associate Administrator for Aeronautics, National Aeronautics and Space Administration, transmitting the Administration's final rule — Development Work for Industry in NASA Wind Tunnels [Notice: (08-045)] (RIN: 2700-AC81) received June 3, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science and Technology.

7080. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Transportation Worker Identification Credential (TWIC) Implementation in the Maritime Sector; Hazardous Materials Endorsement for a Commercial Driver's License [Docket Nos. TSA-2006-24191; USCG-2006-24196] (RIN: 1652-AA41) received May 29, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

7081. A letter from the General Counsel, Department of Defense, transmitting a copy of legislative proposals as part of the National Defense Authorization Bill for Fiscal Year 2009; jointly to the Committees on Armed Services and Oversight and Government Reform.

7082. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a copy of a

draft bill entitled, "the George Washington Memorial Parkway Boundary Revision Act"; jointly to the Committees on Natural Resources and Transportation and Infrastructure.

7083. A letter from the General Counsel, Department of Defense, transmitting a copy of legislative proposals as part of the National Defense Authorization Bill for Fiscal Year 2009; jointly to the Committees on Armed Services, Foreign Affairs, and the Budget.

7084. A letter from the General Counsel, Department of Defense, transmitting the Department's requested legislative proposals as part of the National Defense Authorization Bill for Fiscal Year 2009; jointly to the Committees on Armed Services, Energy and Commerce, Transportation and Infrastructure, Oversight and Government Reform, the Judiciary, Veterans' Affairs, Ways and Means, Small Business, Intelligence (Permanent Select), Foreign Affairs, and Financial Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RAHALL: Committee on Natural Resources. H.R. 5541. A bill to provide a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, and for other purposes; with an amendment (Rept. 110-704 Pt. 1). Ordered to be printed.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 3754. A bill to authorize the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects, and for other purposes (Rept. 110-705). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 1553. A bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers; with an amendment (Rept. 110-706). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 1257. Resolution providing for consideration of the bill (H.R. 6063) to authorize the programs of the National Aeronautics and Space Administration, and for other purposes (Rept. 110-707). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 5541. Referred to the Committees on Agriculture and the Budget extended for a period ending not later than June 27, 2008.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SULLIVAN (for himself, Mr. BARTON of Texas, Mr. BROWN of Georgia, Mr. MACK, Mr. LUCAS, Mrs. MUSGRAVE, Mr. BURGESS, Mr. ROGERS of Michigan, Mr. HALL of Texas, Mr. MCCOTTER, Mr. UPTON, Mr. SESSIONS, Mr. MCHEENRY, Mr. PITTS, Mr. GINGREY, Ms. FALLIN, Mrs. EMERSON, Mr. PEARCE, Mr. SHIMKUS, Mrs. MYRICK, Mrs. DRAKE, Mr. TERRY, Mr. CONAWAY, Mr. BUYER, and Mr. BURTON of Indiana):

H.R. 6219. A bill to authorize appropriations for the Department of Commerce and to prohibit Federal economic development funds to States that carry out public takings for private purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KLINE of Minnesota (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. WILSON of South Carolina, Mr. WALBERG, Mr. PRICE of Georgia, Mr. SESSIONS, Mr. BARRETT of South Carolina, Mrs. BLACKBURN, Mr. HENSARLING, Mrs. DRAKE, Mr. CAMPBELL of California, Mr. PENCE, Mrs. MYRICK, Mr. SAM JOHNSON of Texas, Mr. GOODE, Mr. PITTS, Mr. MARCHANT, Mr. GINGREY, Mr. BARTLETT of Maryland, Mr. FORTUÑO, Mr. DAVID DAVIS of Tennessee, Mrs. BACHMANN, Mr. BOUSTANY, Ms. GINNY BROWN-WAITE of Florida, Mr. DANIEL E. LUNGREN of California, Mr. SOUDER, Mr. CHABOT, Mr. FEENEY, and Mr. SHADEGG):

H.R. 6220. A bill to amend the Workforce Investment Act of 1998 to make non-union training programs eligible for Federal funding under the "Green Jobs" program; to the Committee on Education and Labor.

By Mr. BOOZMAN (for himself and Ms. HERSETH SANDLIN):

H.R. 6221. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include in each contract the Secretary enters for the acquisition of goods and services a provision that requires the contractee to comply with the contracting goals and preferences for small business concerns owned or controlled by veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HASTINGS of Florida (for himself and Mr. HINCHEY):

H.R. 6222. A bill to amend the Internal Revenue Code of 1986 to allow a nonrefundable credit against income tax liability for gasoline and diesel fuel used in highway vehicles for nonbusiness purposes; to the Committee on Ways and Means.

By Mr. HELLER:

H.R. 6223. A bill to provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway, and for other purposes; to the Committee on Natural Resources.

By Ms. HERSETH SANDLIN:

H.R. 6224. A bill to direct the Secretary of Veterans Affairs to conduct a five-year pilot project to test the feasibility and advisability of expanding the scope of certain qualifying work-study activities under title 38, United States Code; to the Committee on Veterans' Affairs.

By Ms. HERSETH SANDLIN:

H.R. 6225. A bill to amend title 38, United States Code, relating to equitable relief with

respect to a State or private employer; to the Committee on Veterans' Affairs.

By Mr. HIGGINS (for himself, Mr. HINCHEY, Mr. ISRAEL, Mrs. MALONEY of New York, Mr. TOWNS, Mr. WALSH of New York, Mr. REYNOLDS, Mr. ENGEL, Ms. CLARKE, Mr. SERRANO, Mr. KING of New York, Mr. McHUGH, Mr. ARCURI, Mr. HALL of New York, Mrs. GILLIBRAND, Mr. CROWLEY, Mr. ACKERMAN, Mrs. LOWEY, Ms. VELÁZQUEZ, Mrs. MCCARTHY of New York, Mr. WEINER, Ms. SLAUGHTER, Mr. McNULTY, Mr. FOSSELLA, Mr. BISHOP of New York, Mr. MEEKS of New York, Mr. NADLER, Mr. RANGEL, Mr. ORTIZ, Mr. COBLE, Mr. FRANK of Massachusetts, Mr. YOUNG of Alaska, Mr. WOLF, Mr. STARK, Mr. PETRI, and Mr. DINGELL):

H.R. 6226. A bill to designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the "Stan Lundine Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. LEWIS of Georgia (for himself, Mr. RAMSTAD, and Mr. THOMPSON of California):

H.R. 6227. A bill to exempt longstanding nonfunctionally-integrated supporting organizations from certain provisions of the Pension Protection Act of 2006; to the Committee on Ways and Means.

By Mr. MARKEY (for himself and Mr. GRIJALVA):

H.R. 6228. A bill to ban the use of bisphenol A in food and beverage containers; to the Committee on Energy and Commerce.

By Ms. MCCOLLUM of Minnesota (for herself, Mr. WALZ of Minnesota, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. ELLISON, Mr. RAMSTAD, Mrs. BACHMANN, and Mr. KLINE of Minnesota):

H.R. 6229. A bill to designate the facility of the United States Postal Service located at 2523 7th Avenue East in North Saint Paul, Minnesota, as the "Mayor William 'Bill' Sandberg Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. McHENRY:

H.R. 6230. A bill to amend the Securities Exchange Act of 1934 to require nationally registered statistical rating organizations to provide additional disclosures with respect to the rating of certain structured securities, and for other purposes; to the Committee on Financial Services.

By Mr. TANCREDO:

H.R. 6231. A bill to amend title 49, United States Code, to require that any automobile manufactured by a manufacturer after model year 2018 be an alternative fueled automobile; to the Committee on Energy and Commerce.

By Mr. SOUDER (for himself and Mr. RUPPERSBERGER):

H. Con. Res. 369. Concurrent resolution honoring the men and women of the Drug Enforcement Administration on the occasion of its 35th anniversary; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas (for herself, Mrs. BONO MACK, Mr. CLYBURN, Mr. HOYER, Mr. CONYERS, Mr. LEWIS of Georgia, Ms. KILPATRICK, Mr. THOMPSON of Mississippi, Mr. BUTTERFIELD, Mr. BISHOP of Georgia, Mrs. JONES of Ohio, Mr. LINCOLN DAVIS of Tennessee, Mr. ROSS, Mr. SCOTT of Georgia, Mr. TOWNS, Ms. VELÁZQUEZ, Ms. CLARKE, Mr. AL GREEN of Texas, Mr. BRADY of Texas, Mrs. CHRISTENSEN, Mr. CLAY, Mr. DAVIS of Illinois, Ms. ESHOO, Mr. FATTAH, Mr. HASTINGS of Florida, Mr. HINOJOSA, Mr. JEFFERSON, Mr. JONES

of North Carolina, Ms. LEE, Mr. MCGOVERN, Ms. NORTON, Mr. BRADY of Pennsylvania, Mr. CARSON, Mr. CLEAVER, Mr. COHEN, Mr. CUMMINGS, Mr. EVERETT, Mr. HINCHEY, Mr. MEEKS of New York, Mr. PAYNE, Mr. WATT, Mr. JOHNSON of Georgia, Mrs. MALONEY of New York, Mr. CRAMER, Mr. COOPER, Mr. BERRY, Ms. SLAUGHTER, Ms. MATSUI, Mr. MOLLOHAN, Ms. WATSON, Mr. SCOTT of Virginia, Ms. CORRINE BROWN of Florida, Ms. MOORE of Wisconsin, and Mr. JACKSON of Illinois):

H. Con. Res. 370. Concurrent resolution expressing support for designation of September 2008 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States; to the Committee on Oversight and Government Reform.

By Mr. COLE of Oklahoma:

H. Res. 1255. A resolution honoring Toby Keith's commitment to members of the Armed Forces; to the Committee on Armed Services.

By Mr. EMANUEL:

H. Res. 1256. A resolution electing certain Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. ARCURI (for himself, Mr. ANDREWS, Mr. WILSON of Ohio, Mr. WELCH of Vermont, Mr. DONNELLY, Mr. LIPINSKI, Mr. SIRES, Mr. PAYNE, Mr. MURPHY of Connecticut, Mr. KLEIN of Florida, Mr. ISRAEL, Mr. ACKERMAN, Mr. CARNAHAN, Mr. McNULTY, Mr. YARMUTH, Mr. COURTNEY, Mr. SARBANES, Mr. BISHOP of New York, Mr. SPACE, Mr. PERLMUTTER, Mr. LAMPSON, Mr. MCGOVERN, Mr. PATRICK MURPHY of Pennsylvania, Mr. HALL of New York, Mr. RYAN of Ohio, Mr. SHIMKUS, Mr. COOPER, Mr. ALTMIRE, Mr. MITCHELL, and Mr. CARDOZA):

H. Res. 1259. A resolution congratulating the Hamilton College Continentals on winning the NCAA Division III women's lacrosse championship; to the Committee on Education and Labor.

By Ms. BEAN (for herself, Mr. ALTMIRE, Mr. ARCURI, Mr. BARROW, Ms. BERKLEY, Mrs. BIGGERT, Mr. BISHOP of New York, Mrs. BLACKBURN, Mrs. BONO MACK, Mr. BOYD of Florida, Mrs. BOYDA of Kansas, Mr. BRADY of Pennsylvania, Mr. BUCHANAN, Mr. BURTON of Indiana, Mr. BUTTERFIELD, Mr. CALVERT, Mrs. CAPPS, Mr. CARNAHAN, Mr. CHABOT, Mr. CHANDLER, Ms. CLARKE, Mr. COOPER, Mr. COSTA, Mr. CRAMER, Mr. CROWLEY, Mr. LINCOLN DAVIS of Tennessee, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELAURO, Mr. MARIO DIAZ-BALART of Florida, Mr. DONNELLY, Mr. ELLISON, Mr. ELLSWORTH, Mrs. EMERSON, Mr. FERGUSON, Mr. FRANK of Massachusetts, Mr. GOODLATTE, Ms. HERSETH SANDLIN, Mr. HIGGINS, Mr. HILL, Mr. HINCHEY, Mr. HINOJOSA, Ms. HOOLEY, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KAGEN, Mr. KELLER, Mr. KIRK, Mr. KLEIN of Florida, Mr. KUHLMAN of New York, Mr. LAMPSON, Mr. LEWIS of California, Mr. MARKEY, Mr. MATHESON, Ms. MATSUI, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS of New York, Mr. MELANCON, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. PERLMUTTER, Mr. POMEROY, Mr.

RODRIGUEZ, Mr. ROSKAM, Mr. ROSS, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Ms. SCHWARTZ, Mr. SCOTT of Georgia, Mr. SESTAK, Ms. SHEA-PORTER, Mr. SHIMKUS, Mr. SIRES, Ms. SOLIS, Mr. SPACE, Mr. SPRATT, Ms. SUTTON, Mr. TOWNS, Mr. UPTON, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Mr. WATT, Mr. WAXMAN, Mr. WELCH of Vermont, and Mr. WOLF):

H. Res. 1260. A resolution supporting the goals and ideals of "National Internet Safety Month"; to the Committee on Energy and Commerce.

By Ms. DEGETTE:

H. Res. 1261. A resolution congratulating East High School in Denver, Colorado, on winning the 2008 "We the People: The Citizen and the Constitution" national competition; to the Committee on Education and Labor.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

291. The SPEAKER presented a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 85 approving and authorizing the establishment of a state-province affiliation between the State of Hawaii of the United States of America and the Province of Negros Oriental of the Republic of the Philippines; to the Committee on Foreign Affairs.

292. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 53 urging the President of the United States to agree to an economy-wide reduction in its greenhouse gas emissions and to commit the United States to a binding international treaty that would result in a significant and rapid global reduction in atmospheric greenhouse gas concentration; to the Committee on Foreign Affairs.

293. Also, a memorial of the Legislature of the State of Hawaii, relative to House Concurrent Resolution No. 16 requesting that the Congress of the United States ratify the United Nations Convention on the elimination of all forms of discrimination against women; to the Committee on Foreign Affairs.

294. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 230 urging the prevention of the sale of oil and gas leases and of drilling in the Chukchi and Beaufort Sea Regions of Alaska; to the Committee on Natural Resources.

295. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 71 urging the President of the United States and the Congress of the United States to enact legislation to confer priority status to children born to Department of Defense personnel and foreign women during and up to to nine months after deployment in order to facilitate and expedite the immigration of these children and women to the United States; to the Committee on the Judiciary.

296. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 86 urging the President of the United States, the Secretary of State and the Secretary of Homeland Security to include the Republic of Korea in the Visa Waiver Program; to the Committee on the Judiciary.

297. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 154 urging the Congress of the United States to amend the definition of "Amerasians" in the Amerasians

Immigration Act of 1982; to the Committee on the Judiciary.

298. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 19 urging the Congress of the United States to enact legislation to exempt children of Filipino World War II Veterans from immigrant visa limits; to the Committee on the Judiciary.

299. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 91 requesting that the Congress of the United States and the President of the United States enact the Filipino American Veterans Equity Act of 2007; to the Committee on Veterans' Affairs.

300. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 110 supporting assistance for persons present in the United States under the Compacts of Free Association; jointly to the Committees on Ways and Means, Energy and Commerce, and Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mrs. MALONEY of New York introduced a bill (H.R. 6232) for the relief of Richard M. Barlow of Bozeman, Montana; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. CARSON.
H.R. 154: Mr. WEXLER, Mr. WELCH of Vermont, Mr. YARMUTH, Mr. COSTELLO, Mr. ORTIZ, and Mr. REGULA.
H.R. 367: Mr. SOUDER.
H.R. 503: Mr. JOHNSON of Georgia.
H.R. 670: Mr. KIRK.
H.R. 769: Mr. BURGESS.
H.R. 780: Mr. CARSON.
H.R. 821: Mr. WEXLER, Ms. SUTTON, and Mr. DEFazio.
H.R. 897: Mr. CARSON.
H.R. 898: Mr. SHAYS.
H.R. 971: Mr. REYNOLDS.
H.R. 997: Mr. GALLEGLY.
H.R. 1014: Mr. RAMSTAD.
H.R. 1190: Mr. SERRANO.
H.R. 1280: Ms. LEE.
H.R. 1283: Ms. SPEIER.
H.R. 1420: Mr. THOMPSON of Mississippi.
H.R. 1532: Ms. DEGETTE.
H.R. 1645: Ms. WATERS.
H.R. 1691: Ms. LEE.
H.R. 1732: Mr. BISHOP of New York.
H.R. 1738: Mr. HOLDEN.
H.R. 1820: Mr. WEXLER.
H.R. 1841: Mr. ABERCROMBIE.
H.R. 1845: Mr. SESTAK.
H.R. 1846: Mr. PETERSON of Minnesota.
H.R. 1869: Mrs. MCMORRIS RODGERS.
H.R. 1932: Ms. CORRINE BROWN of Florida.
H.R. 1952: Mr. KUHL of New York.
H.R. 2032: Mr. LIPINSKI.
H.R. 2045: Mr. PETERSON of Minnesota.
H.R. 2122: Mr. MURPHY of Connecticut and Mr. YOUNG of Alaska.
H.R. 2205: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 2275: Mr. MANZULLO and Ms. WATSON.
H.R. 2279: Mr. BOEHNER, Mr. KUHL of New York, Mr. BOUSTANY, Mr. BLUNT, Mr. SMITH of Nebraska, Mr. BONNER, Mr. COLE of Oklahoma, Mr. KLINE of Minnesota, Mr. MCHENRY, and Mr. CAMP of Michigan.

H.R. 2289: Mr. VAN HOLLEN and Mr. NEAL of Massachusetts.

H.R. 2343: Mr. INSLEE, Mr. RENZI, Mr. LOEBSACK, and Ms. HIRONO.

H.R. 2353: Mr. BOREN.
H.R. 2357: Mr. LEWIS of Georgia.
H.R. 2493: Mr. JONES of North Carolina, Mr. BOEHNER, Mr. SMITH of Nebraska, Mr. BOUSTANY, Mr. BONNER, and Mr. CAMP of Michigan.

H.R. 2832: Mr. GOODE.
H.R. 2833: Mr. GRIJALVA.
H.R. 2914: Mr. LANGEVIN.
H.R. 2923: Ms. ZOE LOFGREN of California.
H.R. 2926: Mr. STARK, Mr. CARSON, and Mrs. NAPOLITANO.

H.R. 2991: Mr. HINOJOSA.
H.R. 3089: Mrs. BLACKBURN, Mr. LUCAS, Mr. BONNER, Mr. BLUNT, Mr. BOEHNER, Mr. CARTER, Mr. BACHUS, Mr. FORBES, Mr. KLINE of Minnesota, Mr. HALL of Texas, Mr. ROSKAM, Mr. CAMP of Michigan, and Mr. GARY G. MILLER of California.

H.R. 3112: Mr. WELCH of Vermont.
H.R. 3144: Mr. MARIO DIAZ-BALART of Florida and Mr. SOUDER.

H.R. 3157: Mr. FRANKS of Arizona.
H.R. 3232: Ms. NORTON, Mr. JOHNSON of Georgia, and Mr. BURGESS.

H.R. 3234: Mr. THORNBERRY.
H.R. 3267: Mr. WEXLER, Mrs. LOWEY, and Mr. RODRIGUEZ.

H.R. 3289: Mr. GENE GREEN of Texas, Ms. ROS-LEHTINEN, and Mr. McDERMOTT.

H.R. 3334: Ms. ZOE LOFGREN of California and Mr. GOODLATTE.

H.R. 3404: Mr. DAVIS of Illinois.
H.R. 3423: Mr. CARSON.

H.R. 3457: Mr. WHITFIELD of Kentucky.
H.R. 3544: Ms. ROS-LEHTINEN.

H.R. 3642: Mr. DAVIS of Illinois and Ms. CLARKE.

H.R. 3652: Ms. CORRINE BROWN of Florida.
H.R. 3797: Mr. ROTHMAN.

H.R. 4007: Mr. CONYERS.
H.R. 4014: Mr. HIGGINS.

H.R. 4015: Mr. HIGGINS.
H.R. 4016: Mr. HIGGINS.

H.R. 4026: Mr. HONDA.
H.R. 4065: Mr. CALVERT.

H.R. 4091: Mr. SNYDER.
H.R. 4093: Mrs. NAPOLITANO and Ms. LEE.

H.R. 4113: Mr. McDERMOTT.
H.R. 4116: Mr. MCCOTTER.

H.R. 4141: Ms. FALLIN and Mr. WITTMAN of Virginia.

H.R. 4229: Mr. CARSON.
H.R. 4231: Mr. CARSON.

H.R. 4264: Ms. WASSERMAN SCHULTZ.
H.R. 4544: Mr. AKIN, Mr. COOPER, and Mr. CULBERSON.

H.R. 4775: Mr. BLUMENAUER, Mrs. LOWEY, Mr. ROTHMAN, Mr. ACKERMAN, Mr. CAPUANO, Mr. TIERNEY, Mr. MOORE of Kansas, and Mr. SESTAK.

H.R. 4934: Mr. GUTIERREZ and Mr. CARSON.
H.R. 4935: Mr. HASTINGS of Florida.

H.R. 4987: Mr. BROWN of South Carolina and Mr. DAVID DAVIS of Tennessee.

H.R. 5057: Mr. MCCOTTER.
H.R. 5229: Mr. GOODLATTE.

H.R. 5466: Ms. HIRONO.
H.R. 5496: Mr. WAXMAN.

H.R. 5575: Mr. HONDA.
H.R. 5580: Mr. AL GREEN of Texas.

H.R. 5590: Mr. MANZULLO and Mr. HONDA.
H.R. 5606: Ms. LORETTA SANCHEZ of California.

H.R. 5646: Mr. DUNCAN.
H.R. 5705: Mr. SESTAK.

H.R. 5723: Mr. HODES.
H.R. 5733: Mr. WALSH of New York.

H.R. 5734: Mr. MCINTYRE, Ms. ZOE LOFGREN of California, and Mr. BERRY.

H.R. 5748: Mr. BURGESS.
H.R. 5774: Ms. MOORE of Wisconsin, Mr. SESTAK, Mr. ALLEN, Mr. GRIJALVA, and Mr. BOUCHER.

H.R. 5782: Mr. JOHNSON of Illinois.
H.R. 5793: Mr. HIGGINS and Mr. FRANKS of Arizona.

H.R. 5797: Mr. WITTMAN of Virginia.

H.R. 5814: Mr. SHADEGG.

H.R. 5821: Ms. FALLIN.

H.R. 5835: Mrs. LOWEY.

H.R. 5873: Mr. BISHOP of New York.

H.R. 5881: Mr. JACKSON of Illinois.

H.R. 5882: Mr. MORAN of Virginia, Mrs. NAPOLITANO, Ms. LINDA T. SANCHEZ of California, and Mr. PASTOR.

H.R. 5886: Mr. SHADEGG.

H.R. 5892: Mr. GORDON, Mr. MCINTYRE, Mr. LEWIS of Georgia, Mr. JOHNSON of Georgia, Mr. ELLISON, and Mr. GERLACH.

H.R. 5914: Mr. HODES.

H.R. 5921: Mr. MORAN of Virginia, Mrs. NAPOLITANO, and Mr. PASTOR.

H.R. 5932: Mr. ALEXANDER, Mr. MELANCON, Mr. CAZAYOUX, Mr. BOUSTANY, and Mr. MCCREERY.

H.R. 5933: Mr. ALEXANDER, Mr. MELANCON, Mr. CAZAYOUX, Mr. BOUSTANY, and Mr. MCCREERY.

H.R. 5935: Mr. MURTHA.

H.R. 5954: Mr. COSTELLO.

H.R. 5971: Mr. WITTMAN of Virginia and Mr. GALLEGLY.

H.R. 5976: Mr. SIRES.

H.R. 5984: Mr. BACHUS, Mr. GALLEGLY, and Mr. MANZULLO.

H.R. 6020: Mrs. NAPOLITANO, Ms. LINDA T. SANCHEZ of California, and Mr. PASTOR.

H.R. 6039: Mr. MORAN of Virginia, Mrs. NAPOLITANO, and Mr. PASTOR.

H.R. 6045: Ms. DEGETTE.

H.R. 6053: Mr. YOUNG of Alaska.

H.R. 6057: Mr. CARNAHAN and Mr. SESTAK.

H.R. 6076: Mr. RANGEL, Mr. MCGOVERN, and Mr. PASTOR.

H.R. 6088: Ms. WASSERMAN SCHULTZ.

H.R. 6101: Mr. COLE of Oklahoma.

H.R. 6104: Mr. WU, Ms. JACKSON-LEE of Texas, Mr. GERLACH, Ms. SHEA-PORTER, Ms. WOOLSEY, Mr. GENE GREEN of Texas, Mr. BACA, and Mr. RYAN of Ohio.

H.R. 6107: Ms. GINNY BROWN-WAITE of Florida, Mr. WESTMORELAND, Mr. BONNER, Mr. EVERETT, Mr. ROSKAM, Mr. MCHENRY, Mr. CAMP of Michigan, and Mr. FORBES.

H.R. 6108: Mr. GINGREY, Mr. BOEHNER, Mr. BOUSTANY, Mr. KLINE of Minnesota, and Mr. CAMP of Michigan.

H.R. 6120: Mr. SESTAK.

H.R. 6126: Mr. COHEN.

H.R. 6136: Mr. BROUN of Georgia.

H.R. 6140: Mr. GONZALEZ, Ms. KILPATRICK, and Mr. WOLF.

H.R. 6146: Mr. HERGER.

H.R. 6189: Mrs. MUSGRAVE.

H.R. 6207: Mr. BLUNT.

H.R. 6208: Mr. HULSHOF.

H.R. 6214: Mr. WALSH of New York and Mr. REYNOLDS.

H.J. Res. 39: Mr. ROSKAM.

H.J. Res. 89: Mr. WITTMAN of Virginia, Mr. DAVID DAVIS of Tennessee, Mrs. DRAKE, Mr. LUCAS, Mr. JORDAN, Mr. ROGERS of Alabama, Mr. MANZULLO, Mr. DUNCAN, and Mr. LEWIS of Kentucky.

H. Con. Res. 244: Mrs. BACHMANN.

H. Con. Res. 267: Mrs. BIGGERT.

H. Con. Res. 332: Ms. MCCOLLUM of Minnesota and Mr. PRICE of North Carolina.

H. Con. Res. 336: Mr. WITTMAN of Virginia.

H. Con. Res. 360: Ms. SCHAKOWSKY, Ms. WOOLSEY, and Mr. DAVIS of Illinois.

H. Con. Res. 361: Ms. LEE, Mr. KIRK, Ms. ZOE LOFGREN of California, Ms. JACKSON-LEE of Texas, Mr. FORTUÑO, Ms. KILPATRICK, Mr. GENE GREEN of Texas, and Mr. BISHOP of New York.

H. Con. Res. 362: Mrs. MILLER of Michigan, Mr. CANNON, Ms. GINNY BROWN-WAITE of Florida, Mr. PRICE of Georgia, Mr. LAMBORN, Mr. DREIER, Mr. BILIRAKIS, Mr. MCCOTTER, Mr. REICHERT, Mr. MEEK of Florida, Mr. RAMSTAD, Mr. CARNEY, Mr. MILLER of North Carolina, Mr. BOREN, Mr. GONZALEZ, Mr. COHEN, Mr. DAVID DAVIS of Tennessee, Mr.

WESTMORELAND, Mr. BONNER, Mr. MICHAUD, Mr. SESTAK, Mr. DICKS, Mr. SMITH of New Jersey, Mr. SAM JOHNSON of Texas, Mr. GARY G. MILLER of California, Mr. SMITH of Nebraska, Mr. WITTMAN of Virginia, Mr. LANGEVIN, Mr. RADANOVICH, Mr. LUCAS, Mr. CONAWAY, Mr. RYAN of Ohio, Mr. REYNOLDS, Mr. AL GREEN of Texas, Mr. LAMPSON, and Mr. MATHESON.

H. Con. Res. 364: Mr. GRIJALVA and Mr. SESTAK.

H. Con. Res. 365: Mr. DOGETT, Mr. POMEROY, Mrs. JONES of Ohio, Mr. EMANUEL, Mr. CAMP of Michigan, Mr. KIND, Mr. McDERMOTT, Mr. INSLEE, Ms. HOOLEY, Mrs. NAPOLITANO, Mr. RANGEL, Mr. SCHIFF, Mr. HINCHEY, Mr. PASCRELL, Mr. SPRATT, Mr. TANNER, Mr. CLAY, Mr. BOYD of Florida, Mr. ARCURI, and Ms. ROYBAL-ALLARD.

H. Con. Res. 367: Mr. BURTON of Indiana, Mr. BOUSTANY, Mr. GONZALEZ, Mr. JEFFERSON, Mr. JACKSON of Illinois, Mr. EHLERS, Mr. ROSKAM, Mr. GORDON, Mr. KLEIN of Florida, Ms. MCCOLLUM of Minnesota, Mr. MILLER of North Carolina, Mr. BOUCHER, Mr. BARTLETT of Maryland, and Mr. DICKS.

H. Res. 333: Mr. WEXLER.

H. Res. 758: Mr. SHADEGG.

H. Res. 881: Mr. COHEN, Mr. GOODE, Ms. FALLIN, and Mr. JONES of North Carolina.

H. Res. 937: Mr. McCOTTER.

H. Res. 1008: Mr. SHAYS and Ms. BORDALLO.

H. Res. 1078: Mrs. Davis of California.

H. Res. 1080: Mr. BACHUS.

H. Res. 1159: Ms. KILPATRICK, Mr. BARROW, Mr. MILLER of North Carolina, and Mr. COURTNEY.

H. Res. 1191: Mr. KENNEDY.

H. Res. 1202: Mr. WU.

H. Res. 1204: Ms. JACKSON-LEE of Texas.

H. Res. 1230: Ms. ZOE LOFGREN of California, Mr. INGLIS of South Carolina, and Mr. ALLEN.

H. Res. 1231: Ms. SUTTON, Mr. TOWNS, Mr. ALTMIRE, and Mr. DONNELLY.

H. Res. 1232: Mr. MEEKS of New York, Mr. RUSH, Mr. SMITH of New Jersey, Mr. JEFFERSON, and Mr. SHAYS.

H. Res. 1235: Mr. WITTMAN of Virginia and Mr. JEFFERSON.

H. Res. 1239: Mr. SAXTON and Mr. LINCOLN DIAZ-BALART of Florida.

H. Res. 1242: Mr. LEWIS of Georgia, Ms. LEE, and Mr. HINCHEY.

H. Res. 1245: Mr. HOLT, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Ms. MCCOLLUM of Minnesota, and Ms. WOOLSEY.

H. Res. 1246: Mr. FARR, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Mr. BRADY of Pennsylvania, and Mr. PAYNE.

H. Res. 1248: Mr. HERGER.

H. Res. 1249: Mr. NADLER, Ms. ROSLEHTINEN, Mr. KAGEN, Mr. BOREN, Mr. CARNAHAN, Mr. MORAN of Virginia, Mr. OLVER, Mr. YARMUTH, Mr. PERLMUTTER, Mr. ROTHMAN, Mr. EDWARDS, Mr. MAHONEY of

Florida, Mr. WEXLER, Ms. SCHAKOWSKY, Mrs. JONES of Ohio, Mr. CLYBURN, Ms. CORRINE BROWN of Florida, Mr. THOMPSON of Mississippi, Mr. MCGOVERN, Mr. SCHIFF, Ms. CASTOR, Mr. CARDOZA, Mr. FARR, Mr. COSTA, Mr. CARSON, Mr. BISHOP of Georgia, Ms. MOORE of Wisconsin, Ms. SLAUGHTER, Mr. LARSON of Connecticut, Mr. PUTNAM, Mr. CHABOT, Mr. BISHOP of New York, Mr. WAXMAN, Mr. MEEKS of New York, Ms. JACKSON-LEE of Texas, Mr. INSLEE, Mr. ISRAEL, Ms. DELAURO, and Ms. WASSERMAN SCHULTZ.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative BART GORDON or a designee to H.R. 6063, the National Aeronautics and Space Administration Authorization Act of 2008, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.



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WASHINGTON, TUESDAY, JUNE 10, 2008

No. 95

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JON TESTER, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

"God of our fathers, whose almighty hand leads forth in beauty, all the starry band of shining worlds and splendor through the skies, our grateful songs before Your throne arise."

Lord, give the Members of this body Your special grace. The responsibility they face is difficult and daunting. Let Your light and truth infuse this place today, and may our lawmakers depend completely upon Your transcendent wisdom. Use them as children of light and heirs of Your everlasting inheritance. May their lives ever praise Your wonderful and Holy Name. In the Name of Him who is perfect justice and unlimited compassion. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JON TESTER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 10, 2008.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JON TESTER, a Sen-

ator from the State of Montana, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. TESTER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator MCCONNELL, if he chooses to make some, the Senate will resume consideration of the motion to proceed to S. 3044, the Consumer-First Energy Act. There will then be 1 hour for debate prior to a series of 5 rollcall votes. The first vote in the series will be a cloture vote on the motion to proceed to the Consumer-First Energy Act. If cloture is not invoked on the motion to proceed, the Senate will proceed to a cloture vote on the motion to proceed to H.R. 6049, the Renewable Energy and Job Creation Act. Following that vote, or votes, there will be up to 10 minutes for debate under the control of Senators LEAHY and SPECTER prior to a series of up to three rollcall votes on the confirmation of three district court judges.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that the time Senator MCCONNELL and I use not be charged against the 1 hour precloture time so that there will be a full hour of debate on the issue relating to gas prices.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONSUMER-FIRST ENERGY ACT

Mr. REID. Mr. President, last Friday, I spoke of the high energy prices—I

have done that on a number of occasions recently—and the need for the Senate to pass the Consumer-First Energy Act. That will be the first vote we will have.

When I came to the Senate floor Friday, we had already had a very difficult day. We got up and saw in the newspaper that day that the market had crashed and gas prices were spiraling up to \$132 a barrel. There were other things that were not good from an economic perspective. I did not have any idea that the price of oil would go up to almost \$140 a barrel. Actually, it did that during the remarks I was making.

The massive spike in oil prices we saw on Friday and the corresponding 400-point drop in the Dow only compounded the crisis that has been growing for months and even years. When President Bush took office, a barrel of oil cost \$32 and a gallon of gasoline cost less than \$1.50. Of course, now, the average price in our country is more than \$4 a gallon, for the first time in the history of our country.

The President took us to war—a war of choice—and Vice President CHENEY invited oil executives to the White House to secretly write our national energy legislation. It was secret, so people went to court—it went all the way to the Supreme Court—to try to find out whom he met with, what he talked about, and what arrangements he made with the big oil companies. He was able to keep it secret. It is still secret. All we know is that the oil companies made \$250 billion in net profit last year. So we have a pretty good idea what went on in the White House. They never asked the oil executives, obviously, to build new refineries or to invest in clean, renewable alternative fuels. They apparently failed to consider the national security implications of our addiction to oil and never

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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asked the oil companies to invest in clean energy.

You can take all the oil in the world—100 percent of it—and you can add in ANWR and all of the offshore we have in America today, and we have less than 3 percent of the oil in the world. We cannot produce our way out of the problems we have. Can we do more with production? Of course. That is the reason Democrats led the charge last year to bring into fruition more drilling off the coast of Louisiana and Mississippi.

We know we have to do something to wean ourselves from the 21 million barrels of oil we use every day—and 65 percent of that we import. But the Bush administration has failed to address these concerns. Sadly, the Republican Members of Congress stood by his side cheering him on and cheering on the oil companies to make more money.

The American people are suffering the consequences of the Bush administration's recklessness. As we speak, our airlines are on the verge of bankruptcy. What they have made a decision on last week—even though the airplanes were filled with passengers—is they have cut 20 percent of the flights around the country. Why? Because with every airplane load of passengers they haul, they lose money. They want to have airplanes that use less fuel, so even though the airlines are filled with passengers, they are saying they are losing more money at that airline that is going to Missoula, MT, or Kansas City, and therefore they are going to stop the flight—even though it is full—because that airline used more fuel than one taking somebody the same distance to someplace else. That sounds pretty crazy, but the airline industry is on the verge of not being able to continue. We cannot compete at this stage with the European airline industry. Here, we pay \$1.40 for a gallon of aviation fuel; they pay 75 to 80 cents there. We cannot compete. The cost of fuel is exceeding half of the cost of an airline, and they simply cannot make it.

It wasn't until Democrats won the majority that we finally were able to pass an energy bill last year that did some things. For the first time in 30 years, we increased the fuel economy standards and did a little bit to promote clean, American-made alternative fuels. We continued offering responsible solutions to reverse the energy crisis—and there is an energy crisis.

All this time, out there every day, we have the Sun shining, the wind blowing, and steam coming from the Earth, and we are doing nothing to capture that—virtually nothing. Why? Because we cannot get our Republican colleagues to join us in passing tax incentives to allow the great entrepreneurial spirit of America to invest in renewable fuels. We want to reverse the energy crisis. Yet our Republican colleagues inexplicably are refusing to work with us and prefer to simply con-

tinue to feed our addiction to oil. Some Republicans propose drilling in ANWR, but experts agree that we cannot drill our way out of this crisis. The ANWR thing won't pass. It has been decided that is not something we need to do.

Last week, Republicans took to the floor and talked about high gas prices. We got their memo saying they want this global warming thing to be “global warming and gas prices.” When they had the chance to vote on that, they walked away from it. Mr. President, they have the opportunity today to vote to bring us to the point where we can start legislating on gas prices. I hope their rhetoric last week is an indication that they are going to allow us to proceed.

This morning, we will vote to invoke cloture so we can move to pass the Consumer-First Energy Act. They have blocked this responsible legislation, or something similar to it, in the past. Maybe this time it will be different.

Observers have said that now that gas is over \$4 per gallon, it might be a tipping point for the American people. I hope it will be a tipping point for the Republicans in the Senate. We have SUVs that are now not being bought, which are manufactured by our manufacturers. We have hybrids coming into being, and that is good. Some people are abandoning their SUVs and cars—because they have no alternative—for public transportation. In States such as Montana or Nevada, where you have large areas of rural roads, people have to drive. There is no public transportation available. So public transportation is not an option for everybody, especially Americans living in rural areas and commuting long distances—areas not served by public transportation. No matter where we live or what our transportation options are, we all deserve a cleaner, safer, more affordable future.

Following the lead of the American people, perhaps Republican Senators have reached their own tipping point and are now ready to embrace change with us. We hope so. The choice today is simple: They can continue to stand with the Bush-Cheney administration and the modern-day oil barons or they can join us on the side of the struggling American families who deserve better.

I urge all of my colleagues—Democrats and Republicans—to support allowing us to proceed on this legislation. This is responsible legislation. We will end billions of dollars of tax breaks for these huge oil companies and executives who have been hauling in record salaries while the profits of the companies are skyrocketing. Second, we force the oil companies in this legislation to do their part by investing some of their profits in clean, affordable alternative energy. We protect the American people from price gouging. We stand up to OPEC and countries that are colluding together to keep oil prices high. We look at these margins. Many people believe the high cost of oil is sheer speculation.

This legislation, I acknowledge, is not a silver bullet that will solve the energy crisis, but it will take a nip out of it. After 7½ years of the Bush-Cheney energy policy, there are no quick fixes. The road ahead won't be easy. This is a start to help lower prices and to help working families make ends meet. It is one small step on a long and uphill road to a cleaner, more affordable energy future and to restoring the affordability of the American dream to families all over our country.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

WINDFALL PROFITS TAX

Mr. MCCONNELL. Mr. President, over the weekend, as we all know, the average U.S. gas prices hit an alltime high of more than \$4 a gallon. I only point this out because it seems our friends on the other side aren't aware of it. In the middle of what some are calling the biggest energy shock in a generation, they seem baffled. Faced with a national outrage over gas prices, they propose as a solution, of all things, a windfall profits tax. If the idea had any merit at all, Republicans would consider it. But, of course, it doesn't.

We know from experience that Jimmy Carter tried a tax hike in 1980, and it was a miserable failure.

The Congressional Research Service says its only effect—its only effect—was to depress domestic production, thus significantly increasing our reliance on foreign oil and, in the end, less domestic production led to significantly less revenue from the tax that was expected. The same thing, of course, would happen again.

The biggest hit would not be to the energy companies, it would be to the American consumer who now dreads pulling his or her car into the gas station. Hitting the gas companies might make for good campaign literature or evening news clips, but it will not address the problem. This bill is not a serious response to high gas prices. It is just a gimmick. Don't take my word for it. The Democrats themselves said as much when their leadership proposed this sham solution last month.

Americans have lost patience with Democratic inaction on gas prices. Americans understand supply and demand. They know the only way to drive prices down is to drive production up at home by reducing demand through the kind of sensible action we took last year on fuel efficiency and renewable fuels. With gas now at \$4 a gallon, recent polls show that an increasing number of Americans are calling on us to exercise the option of exploring for energy at home.

What is the Democratic response to all this? Last week, the majority proposed a climate change tax that would have raised gas prices \$1.40 a gallon higher than they already are. They are hoping the idea of going after energy

companies will create the illusion of action, after a week in which they themselves fought for a bill that would make the problem worse. What a political charade.

This bill is not a serious approach to lowering gas prices. Our friends proposed the same one last month. It went nowhere. They didn't even bring it up because their own committee chairman opposed it. The Democratic chairman of the Energy and Natural Resources Committee, the junior Senator from New Mexico, called the windfall profits tax "arbitrary." The senior Senator from New York cautioned that another key provision of the bill would drive jobs overseas.

If the Democrats themselves don't like the bill and oppose its provisions, why are they reviving it?

Democrats will claim this bill will bring gas prices down, but in doing so they are counting on Americans to forget a basic law of economics: raising taxes on those who produce something leads to an increase in the price of products they sell. This was true in Adam Smith's pin factory. It is true for energy companies today. More taxes mean higher prices.

The rational response to high gas prices is to propose a policy that would actually lower them, and that is what Republicans have done. Last month, we proposed a bill that would allow us to access the 14 billion barrels of known recoverable oil on the Outer Continental Shelf in an environmentally sensitive way. We have also tried to open the Arctic National Wildlife Refuge for very limited and safe exploration. We have been blocked by our friends on the other side at every turn.

When Bill Clinton first vetoed the idea in 1995, the price at the pump was \$1.06 a gallon. Gas costs nearly four times as much as it did then. How high does it have to go before our friends on the other side allow limited and environmentally sensitive exploration of these giant U.S. reserves? Evidently, \$4 a gallon isn't high enough for them.

So, Mr. President, we have a better plan for addressing gas prices, one that respects the laws of supply and demand. In addition to the two provisions I already mentioned, our bill mandates that billions of coal-derived fuels be produced through clean coal technologies as a way of further reducing our dependence on foreign sources of oil.

Our bill repeals the 1-year moratorium on oil shale production in Colorado, Wyoming, and Utah, and it would accelerate the construction of refineries in the United States, as well as development of advanced batteries for plug-in hybrid vehicles.

Republicans are determined to lower gas prices the only way we can and strengthen our energy security for the long term—by increasing supply. We have tried to do so repeatedly, and every time we have tried we have been blocked by our friends on the other side.

Just last month, 48 Democrats blocked consideration of our energy supply bill. Last week, they blocked consideration of an amendment I sponsored that would have prevented the increase in gas taxes that the Boxer climate tax bill would have caused. Now, 2 days after we have seen the highest recorded gas price in history, they are proposing an idea that has already failed once and which will do nothing to ease the pain Americans are feeling at the pump.

Our friends on the other side have no serious plan to address gas prices. They have demonstrated this in the past, and they are demonstrating it today.

Yesterday's Wall Street Journal highlighted the kind of situation that has become typical over the past several months. In a story about high gas prices, the Journal quoted a self-employed handy man in Dallas who is paying twice as much money to fill his tank than he did a few years ago. This is what he had to say:

I feel like I am being held at knifepoint. If they charge \$10 a gallon, I'm going to pay it.

It is time we got serious about helping guys such as this. It is time we did something about supply to go along with our previous efforts to affect demand. But as long as our friends on the other side refuse, we will get nowhere in this debate, and that is why gas prices have gone up \$1.71 since the Democrats took over Congress.

I will vote against proceeding to this totally irresponsible bill and advise my colleagues to do the same.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONSUMER-FIRST ENERGY ACT OF 2008—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume the motion to proceed to S. 3044, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to S. 3044, a bill to provide energy price relief and hold oil companies and other entities accountable for their actions with regard to high energy prices, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Mr. President, as I understand it, there is 1 hour divided equally.

The ACTING PRESIDENT pro tempore. There is 40 minutes divided equally.

Mr. SCHUMER. And the addition of leader time. I ask that I be given 7½ minutes of our time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, will the Senator yield?

Mr. SCHUMER. I will be happy to yield to the Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent that Senator HUTCHISON be the leadoff speaker and she be allowed 7 minutes, and that I follow her with 15 minutes, and then we will see where it goes from there.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, we all know that gas prices and the high price of oil and all oil products is the No. 1 issue in America. Everywhere we go—Legion halls, parades, weddings—this is all people bring up, and they demand action.

Today, we in the Democratic majority are stepping to the plate with two comprehensive bills—one dealing immediately with the issue of gas prices and the oil companies and the speculation in the market and the second dealing with changing our tax policies so that we encourage alternative fuels. We are stepping to the plate because we know the problem America faces: \$4-a-gallon gasoline. That is 267 percent higher than it was when President Bush took office in 2001. And we cannot pass any legislation?

We want to debate this legislation now. We have our ideas. The other side has its ideas. But we wish to move forward and debate the issue and finally get something done, and the other side, the minority leader said vote no. He is telling the American people that he and his party want to do nothing. They don't even want to debate it. That is an incredible statement at a time when America is crying out for action.

The bottom line is, we have had a White House, we have had a Republican minority that has taken zero proactive steps to reduce our dependence on foreign oil for 7 years. If it wasn't for this new Democratic Congress to pass along an overdue small increase in fuel efficiency standards, President Bush would leave the White House with a record he would consider spotless, committing no sins against big oil or against OPEC.

We on this side are not afraid to go after big oil when they are not doing the right thing, and we are not afraid to go after OPEC because they are a cartel that squeezes us. We are not afraid to do some strong, tough things that will, some in the short run and some in the longer run, bring down the price, the all-too-high price of gasoline.

We are hurting as a country. We are hurting individually as Americans. We are hurting as an economy, as people do not have the ability to spend on other things. We are hurting in our foreign policy as every day we send over \$1 billion to people we do not like, such as leaders of Iran, Venezuela, and other places. And we are hurting as a globe as we continue to send carbon dioxide into the air. And the other side says: Do nothing. Don't even debate the issue.

I have heard some people talk about some things on that side. What about ANWR, Alaskan oil, which was defeated in a bipartisan way a while ago? We will debate ANWR. Nobody thinks it is going to do anything for 7 years. I, for one, and many of us on this side supported drilling in the east gulf. It is beginning to happen because it would produce more oil and gas more quickly and do something about the price.

So we are not against any domestic oil production or exploration or gas production or exploration if it is going to make some sense. But we cannot drill our way out of the problem. If we do not do conservation, if we do not do alternative energy, and if we do not tell the big oil companies they can no longer run energy policy in America, we will not succeed; plain and simple. We are finally telling them.

There are many provisions in this bill, but there are four major provisions. One goes after OPEC, one goes after speculation, but the one that I helped write, along with the chairman of the Finance Committee, goes after the windfall profits of oil companies. They are making record profits, and we say take some of those record profits and require them to be placed into alternative energy.

When the head of ExxonMobil came before the Judiciary Committee a couple of years ago, he said he didn't believe in alternative energy. Well, most Americans do. And unlike my colleagues on the other side of the aisle, we don't believe ExxonMobil should dictate our energy policy. They are doing great, but we, the American people, are not.

If you want to get immediate production, do something about Saudi Arabia. They could in a minute increase supply by 1 million, 2 million barrels a day. This is not Alaska. A lot of people on the far right are saying: How can Schumer say increase Saudi production when he is not for Alaska production? Hello. One would pump oil into the system immediately and do something immediately if we could force the Saudis to do it. Some of us advocate not giving them arms until they do. One would take 7 years and, by many estimates, not do much to change the price because it is so long into the future.

It is appalling. I am profoundly surprised by the other side seeking to block this bill. I ask my colleagues to support it.

Might I ask the Chair how much time I have?

The ACTING PRESIDENT pro tempore. The Senator has 10 seconds.

Mr. SCHUMER. I ask unanimous consent for 30 additional seconds.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. The windfall profits tax part of this bill, which I helped write, is a different windfall profits tax. It says when the level of profitability is very high, take that money and require that it be used for alter-

native energy. That is not too much to ask of ExxonMobil or of Chevron, Texaco, or any of these newly merged oil firms. It will not do all the things my colleague from Kentucky said but instead will force the oil companies that are not sacrosanct to start doing something to help get us out of this mess instead of just profiting from it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, the bill before us is, pure and simple, a pathetic attempt to even call itself an energy plan. The American people are looking for leadership from the Congress. They are looking for something that will help small businesses not be eaten up with energy costs, the American family not be eaten up with the cost of gasoline at the pump, and what do they get in response? They get a bill that does not produce one ounce of energy. Not one ounce.

This bill does three things: It enacts a windfall profits tax, it suggests that we sue OPEC, and it forms a commission to investigate price gouging. What the American people are looking for is lower gasoline prices at the pump and lower electricity costs in their small businesses.

The Republican plan that was put forward so well by Senator DOMENICI, the ranking member of the Energy Committee, is a balanced plan that will produce results. What it does is what we have done in America for the last 200 years when we had a problem and that is use our ingenuity, use our natural resources, use our creativity, and come together to meet and beat our problems. That is what the Domenici plan does.

We have passed legislation that gives incentives for renewable energy—wind energy and solar power—and those are great things. They are small, but they are great things. We wish to continue that. We wish to promote conservation, which we have done in past Energy bills. We wish to also expand nuclear power. We haven't had a nuclear powerplant open in this country in 25 years. So the Energy bill we passed under Senator DOMENICI's leadership does have incentives for investment in nuclear power because we know it can be done clean, it can be done efficiently, and it will bring down the cost of electricity.

We have expansion of refineries in the bill that was passed 2 years ago, again under the leadership of Senator DOMENICI. We have to have expanded refineries because the problem in this country today is we don't have enough supply. Our refineries are running at full capacity, but we have not had expansion of our refineries because the regulatory environment has kept any sound management and business plan from being operative for an expanded facility. But we did pass legislation to expand facilities, again with environmental safeguards to do it right and expand the amount of energy we would have in our country.

Our plan also creates a State option, so States will have the ability to explore off their Outer Continental Shelf and get a reward for it, get a royalty. That could produce as much as we import from Venezuela, and that is a modest suggestion of what we might be able to get. It could be much more.

ANWR. Senator REID said: Forget ANWR, we are not going to do that. It is not going to pass here. Well, no, it is not going to pass. As long as we have no leadership from the majority in the Senate, it would not pass. But it did pass. It did pass in 1995. If President Clinton hadn't vetoed it, we would be pumping almost the same amount of oil that we import from Saudi Arabia every day, and we would not have \$4-a-gallon gasoline at the pump for hard-working Americans. So it can pass with leadership.

We are talking about ANWR. In an area the size of the State of South Carolina, the area that would be drilled is 2,000 acres, the size of Washington National Airport. It is a grassy plain. It gets to 70 degrees below zero in the wintertime. It is not part of the beautiful, pristine wilderness of ANWR. Yet it could bring gasoline prices down at the pump. Oil shale in Colorado and Wyoming. We have a balanced approach that will produce energy.

What does the bill before us do today? Well, let us talk about the windfall profits tax. In 1980, Congress passed one. What happened? It increased imports, it increased our reliance on foreign oil for our energy needs, and it made America more reliant on foreign sources of energy for our country. That is wrong for our national security, and it is wrong for our economy. It exported jobs overseas. It was such an abject failure that Congress repealed it. Why would we be going backward to something that has been proven to take jobs from America and increase our dependence on foreign sources?

OPEC. They say OPEC should be increasing its output. This is ludicrous. First, it ignores that OPEC could retaliate; that they are not going to abide by American law. At the same time the Democrats are saying we should sue OPEC for not producing more, they do not pass anything that would produce more of our own energy in our own country. Does anyone think OPEC is going to think that is a credible position for the Congress to take? Yet that is the position that is in the bill before us today.

It is almost laughable that every proposal we put forward that would increase our output is defeated by Congress. Yet they want to sue OPEC for not increasing their supply. You cannot have it both ways. We don't want to drill here, but we want to drill there. It is the old "you do it, we will talk about it" mentality that will not work.

What about forming another commission to investigate price gouging? We have had commissions on price

gouging, and they have turned up nothing. This is a bad bill. We should reject it, and we should look for leadership, bipartisan leadership, to solve this problem with our ingenuity.

I yield floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent for 5 minutes from the Democratic side.

The ACTING PRESIDENT pro tempore. The Senator is recognized.

Mr. SANDERS. Mr. President, do we need a windfall profits tax? You bet we do. The American people are sick and tired of paying \$4 for a gallon of gas. In the Northeast, we are worried about how people are going to stay warm in the winter, while at the same time ExxonMobil has made more profits than any company in the history of the world for the past 2 consecutive years, making \$42 billion last year alone.

But ExxonMobil is not alone. In the first quarter of this year, BP announced a 63-percent increase in their profits. Shell's first-quarter profits jumped by 25 percent, to over \$9 billion, and ConocoPhillips' profits increased by over 16 percent in the first quarter, to over \$4 billion. As a matter of fact, the five largest oil companies in this country have made over \$600 billion in profits since George W. Bush has been President. Do we need a windfall profits tax? You bet we do.

Let me say a word about what some of these oil companies are doing with these outrageous profits. In 2005, Lee Raymond, the former CEO of ExxonMobil, received a total retirement package of at least \$398 million. Yes, you heard that right, \$398 million in a retirement package for the former CEO of ExxonMobil. But he is not alone. Let us not just pick on ExxonMobil. In 2006, Ray Irani, the CEO of Occidental Petroleum, received over \$400 million in total compensation. Oh, yes, we don't need to do a windfall profits tax. These guys are just investing their money ever so significantly.

The situation is so absurd and the greed is so outrageous that oil company executives are not only giving themselves huge compensation packages in their lifetimes, but they have created a situation, if you can believe it, where they have carved out huge corporate payouts to their heirs if they die in office. I am not making this up. According to the Wall Street Journal, the family of Ray Irani, the CEO of Occidental Petroleum, will get over \$115 million if he dies while he is the CEO. The family of the CEO of Neighbors Industries, another oil company, will receive \$288 million if he dies while he is the CEO.

If this were not so pathetic, if so many people all over our country were not hurting, it would be funny. But it is not funny, it is tragic, and we have to deal with this reality. Let me be clear, however. I believe oil companies should be allowed to make a reasonable

profit, but they should not be allowed to rip off the American people at the gas pump, and that is why we need to pass a windfall profits tax, which is included in this legislation.

We should understand that a windfall profits tax alone is not going to solve all our problems. Since 1988, the oil and gas industry has spent over \$616 million on lobbying, and since 1990, they have made over \$213 million in campaign contributions. In other words, if this Congress is going to stand up to the oil companies, it is going to take a lot of courage. These people have enormous power, and they have spent an enormous amount of money on lobbying and campaign contributions. But I think we owe it to the American people to represent their interests rather than just the interests of big money.

Imposing a windfall profits tax is not the only thing we should be doing. We must address the growing reality that Wall Street investment banks, such as Goldman Sachs, Morgan Stanley, and JPMorgan Chase, and many hedge fund companies as well, are driving up the price of oil in the unregulated energy futures market. There are estimates that 25 to 50 percent of the \$134-a-barrel cost of oil is attributable not to supply and demand, not to the cost of production, not to the decline in the dollar but to the unregulated speculation which is currently taking place on oil futures. That is an issue we must address as well, and this legislation begins to do that.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. DOMENICI. Mr. President, Parliamentary inquiry: How much time remains and who has time before the vote?

The ACTING PRESIDENT pro tempore. The Senator has secured 15 minutes for his own use, which would consume all the minority's time at this point, except for the leader's balance of that time.

Mr. DOMENICI. So that means I would use the remaining time, and there would be no time for anyone else before the first vote?

The ACTING PRESIDENT pro tempore. The majority still has 7 minutes.

Mr. DOMENICI. That was my question. I didn't pose it right.

The ACTING PRESIDENT pro tempore. Plus, the majority leader or his designee's time.

Mr. DOMENICI. Mr. President, I yield myself 10 minutes and see how it works out. The Senator from Pennsylvania wanted some of my time. I don't know if I have enough to give him, but I will try, and I thank him for coming down so early in the morning.

First of all, let me say to my fellow Senators but most of all to the American people that the Senate has a bill before us today we will call the Reid bill, named after the majority leader, and I think it deserves a simple little nickname. It should be the Democratic Party's "No Energy Energy bill." It

doesn't produce one ounce of energy. Clearly, the American people are looking to us to see how we can suggest that the price of oil might be stabilized or brought down.

We are told by most experts we are going to be using crude oil for 30 or 40 years to come, and we call that the bridge, the bridge between now and the future, where we are going to have to use crude oil. If we are going to have to use crude oil, then America should look to itself and see where and how can we produce oil that belongs to us so this bridge, this 30 or 40 years when we are going to have to use crude oil to get by, that we will have as much of ours as possible.

It is a shame the majority party in the Senate is not looking to American resources, does not have a bill, will not let us vote on a bill, will not let us amend a bill that would produce more energy from the coastal waters off the shores of the United States, upon which we have put a moratorium. That moratorium says we cannot drill. Everybody knows there are literally billions of barrels of oil that belong to us. We could do whatever we would like. We could say 50 miles out is where we start, so it will harm no one, but let's open it and explore for American oil where there is an abundance.

In addition, let's go ahead and convert coal to crude oil, coal to diesel. We know how to do that. Let's get on with it so we can send the right signal to the world.

Let's take the moratorium off oil shale and get on with a 5- or 10-year program to produce oil from those properties that belong to Americans that are laden with oil and are in the States of Colorado, Utah, and Wyoming.

That is what we are looking for, not a bill that attempts to levy a windfall profits tax which everybody associated with that tax—including those who helped put it on during the regime of President Carter—now comes over and joins us, saying: Don't do that. It will do nothing but raise the price of crude oil.

Why do we want to pass a tax increasing the cost of crude oil when the American people are asking us to do the opposite? The majority here in the Senate believes the major oil companies—there are not very many left that are American oil companies. There are just a few of them left, and all the rest of the oil is owned by countries—not companies, by countries. They own it. We have five or six American companies. We ought to be grateful we have them. They are the only ones out there capable of competing with these countries to get oil and produce more. Yet the Democrats would like to make life onerous for those companies, would like to make it harder for them to produce oil, and try to let the American people think that if we tax them enough, somehow or another that will produce more oil.

From my standpoint, this is a very simple debate. The Democrats have no

energy bill before us, in terms of producing energy. So they have a "no energy" bill. We ought to say we don't want to debate that because it doesn't amount to anything. Then the House sent us a bill that imposes taxes. That is all it is. They impose taxes in order to put on a kind of energy stimulus for wind and the like. They want to tax in order to pay for it. We have never paid for it before. We have imposed those various incentives. They are good. We passed them 88 to 8 one time. We are for doing that again, but we are not for doing that in the manner suggested by the legislation from the House which came over here. It is our second vote. We ought to just say no to that and say we are ready to extend those tax credits and we are ready to do that in exactly the way we have done it before, with no taxes added to the American people or to anyone—just go ahead and do those tax extenders, which we desperately need.

Let me repeat. One of the most important things we need is an extension of those tax extenders. We do not need a tax bill that will pay for those extenders because we have already done it without taxes. We ought to do that again, nice and clean and quick. That would be a very good start toward an alternative energy policy or a continuation of one.

Mr. President, I wish to yield 3 minutes to the distinguished Senator from Pennsylvania at this point.

Mr. SPECTER. Mr. President, I thank the distinguished Senator from New Mexico.

I have sought recognition to state my reasons for opposing the motion to proceed to cloture because this bill has too many facets. It was my hope that the majority leader would have separated this bill into the component parts. I cannot support legislation which would impede exploration for oil, which is what part of this bill is. But there are parts of this bill which are very important, and they ought to be taken up separately—for example, the legislation that defines and establishes penalties for price gouging by the oil and gas industry. It increases regulation of oil futures markets, and it includes the provision to eliminate the antitrust exemption for OPEC countries.

It does not have to be said on the floor of the Senate that enormously serious problems exist today with the price of oil and with the price of gasoline at the pump. The newspapers are full of it. It is an atrocious situation that is happening, and we desperately need relief.

There are very substantial indicators that a good bit of this problem is caused by price gouging. The legislation ought to be separated out so that we act on that. There are significant indicators that the oil futures market is causing speculators to jack up the price of oil. There ought to be regulation on that. We ought to take it up separately. When it comes to the anti-

trust exemption for the OPEC countries, it is atrocious. A few of these countries get together in a room, they lower production, and that increases prices. That bill was passed by the Senate with 70 votes. It has been passed by the House of Representatives. We ought to be taking that up separately. If we took up these measures separately, we would have an opportunity to give some relief to the American people.

Candidly, it is incomprehensible to me why we are not taking up the cost of oil and the cost of gas at the pump, to try to alleviate the pressure on the American people—and for that matter, worldwide. If we were to eliminate the OPEC antitrust exemption—to which they are not entitled; it is not a sovereign immunity issue, it is a commercial transaction—we have the authority to do that. One Federal judge has already upheld that approach. If we worked on the approach, if we worked on what the traders are doing on speculation, we would have some real effect. We are not too busy to take up this issue, aside from a few minutes on the Senate floor. There is no reason it has to be joined with what is obviously a poison pill, where you talk about acting against the oil and gas industry to discourage exploration. We know exploration is vitally necessary, so I cannot support this legislation in its present form, but it ought to be divided. We ought to take up the antitrust exemption separately.

We ought to move ahead on a matter of pressing importance. There is nothing more important for the American people, for the people of the world. I urge the majority leader, who sets the schedule, to reconsider and separate these bill so we can act in a meaningful and important way.

Mr. DOMENICI. Mr. President, I yield the floor at this time.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, every day Americans are watching the price of oil and gas shoot up higher and higher, and are watching as it gets harder and harder to make ends meet.

This week, the national average price of gasoline broke the \$4 per gallon mark. When George Bush took office, gas cost just \$1.46 a gallon. This dramatic increase in oil prices has brought prices for food up along with it, and American families are faced with a painful financial choice when it comes time to fill-up—do they fill up their gas tank or do they forgo a gallon of gas to buy a gallon of milk?

Businesses are cutting jobs. Families have already eliminated nonessentials and are now cutting back on meals. Some Americans are even contemplating quitting their jobs because they can't afford the gas to get there. It has become painfully clear: We are in an oil crisis. And we had better start taking action to get out of this mess.

Fuel efficiency, alternative fuels, and mass transit are the long-term answers

that I will soon discuss, but consumers need immediate help, and the Consumer-First Energy Act will provide that relief.

The first thing the Democratic bill will do is make sure that our commodities markets are functioning fairly. The supply and demand equation is roughly the same as it was 2 years ago and yet we have seen prices go through the roof.

We all remember the damage Enron did to our Nation's economy by manipulating unregulated electricity markets. The Consumer-First Energy Act will make sure that oil is traded on well-regulated, transparent markets which are free from manipulation. It requires Commodities Futures Trading Commission oversight, sensible margin requirements, and standard participant disclosures.

By making the oil futures market conform to usual standards and practices, we can combat excessive speculation and insure that the markets are free from manipulation.

The Consumer-First Energy Act also makes sure that oil companies are not taking advantage of American consumers. The Bush energy policy was written by energy companies for energy companies. And while it has worked well for energy companies, it has completely failed the American public. The major oil companies made \$124 billion in profits last year and will earn even higher profits this year.

Are the oil companies using these enormous profits to give consumers a break at the pump? No. Are they using those profits to invest in new refineries or develop alternative fuels? No. Despite what my friends on the other side of the aisle might claim, big oil is not looking out for the American driver. Big oil is looking out for itself. Our colleagues on the other side offer more of the same.

Yet, despite the fact that big oil is doing all it can to reap record profits at the expense of our economy, big oil is in line to receive over \$17 billion in tax breaks.

The Consumer-First Energy Act will fix this problem and make sure that big oil is paying its fair share of taxes, and isn't profiteering at the expense of American consumers. It includes a windfall profits tax which would raise revenue to invest in sustainable, domestic sources of energy and to provide relief to consumers suffering under high energy prices.

We must act now to provide immediate relief to American families. But in addition to relief and protections included in the Consumer-First Energy Act, we also need to think about what we can do to reduce consumption and rein in costs in the long term.

My friends on the other side of the aisle do not want to address this oil crisis. Indeed, they want to exploit it to try to provide even more Government help for their big oil supporters. They tell their constituents that the answer to our oil addiction is to drill,

drill, drill. But feeding the addiction by tapping another vein just drills us into a deeper hole.

The fact is that the world's largest remaining oil reserves are in the hands of foreign governments. That means it is difficult if not impossible for us to control our supply of oil. But the one thing we can control is our demand. In the long term, we need to invest in alternative energy, mass transit, and increasing fuel efficiency.

While we work to make alternative fuel technologies more affordable we need to drastically improve fuel economy. If we had increased fuel economy a modest 2 percent per year since 1981, our fleet would now average 34 miles per gallon. This alone would have cut our demand for oil by 30 percent while saving over 30 billion barrels of oil. 30 billion barrels of oil. According to the Energy Information Agency that is more than the proven oil reserves remaining in the United States. It is commendable that we finally raised CAFE standards this year, but we are going to have to make our vehicles a lot more efficient to make up for lost time.

We also need tax incentives for hybrids and plug-in hybrids, and need to support advanced battery research. Once our transportation infrastructure can run on alternative fuels like electricity or cellulosic ethanol, consumers will finally have a choice. We will be able to choose not to buy oil, and that will force gas prices back to Earth.

The last, but perhaps most important, long-term solution to our current oil crisis is an immediate and substantial investment in mass transit. More people are taking commuter trains, buses, and even ferries now than in the past 50 years.

For millions, having the option to use alternative transportation modes has been essential to getting to work affordably. It is time we finally fully funded mass transit at the level it deserves.

It is time for a real cure, not the tired old policies of the past. This bill gives the American people what they need right now, to get through the immediate problem and start us down the path to real, sustainable, long-term solutions to our energy crisis.

I hope our colleagues seize the moment, vote for the motion, and move us to the type of relief Americans are looking for.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). Who yields time?

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, am I correct in assuming that I have 2 minutes, plus the leader's time?

The PRESIDING OFFICER. The Senator is correct.

Mr. DOMENICI. I yield myself 5 minutes and will reserve the remainder.

Mr. President, the American people are clamoring for relief at the pump. In 1 year we have seen a 16-point increase in the percentage of Americans who

seek more exploration and production of oil and gas in this country.

Today, according to a recent Gallup poll, 57 percent of Americans are seeking more exploration and production of oil and gas here at home. I do not know what percentage of Americans would like to see higher taxes, increased prices, and greater imports, but I suspect it would be very low. But according to the independent Congressional Research Service, that is what the people will get if the Reid tax increase is enacted into law. They will get exactly what they do not want, because the bill will raise taxes, increase imports, and contribute to a pattern of sending more than half a trillion dollars overseas to hostile regions.

I will oppose the motion to proceed this morning. I wish to start by looking at the windfall profits tax contained in this bill. The nonpartisan Congressional Research Service found a windfall profits tax could have several adverse effects and could be expected to reduce domestic oil production and increase the level of imports. This group is not alone in their estimate. The Wall Street Journal predicts a windfall profit tax is a sure formula "to keep the future price of gas higher."

It is not simply these two views that warn against a windfall profits tax. Former officials from both the Carter and Clinton administrations have spoken. The Under Secretary of Commerce in the Clinton administration recently said:

A new windfall profits tax, however emotionally satisfying it may seem, also harms most people saving for their retirement or living on retirement savings. More than 40 percent of that cost would fall on tens of millions of seniors and retirees who own oil stock directly or indirectly through their pension plans and retirement accounts.

An individual named Phil Verleger, the individual responsible for implementing the tax during the Carter years, recently called a windfall profits tax "a terrible idea today."

There seems to be a consensus everywhere that the windfall profits tax is a bad idea, except in the halls of Congress and within the Chavez administration in Venezuela. It is not only conjecture that leads us to the conclusion that this is a bad idea but, rather, an understanding of history. Between 1980 and 1986 when the last windfall profits tax was in place, domestic oil production was reduced by as much as 8 percent and our imports rose from 32 percent to 38 percent. Revenues for the tax came in well below what was originally estimated, and the tax came to be called an administrative nightmare that stunted economic growth. It was a bad idea then and it is a bad idea now, and it should be rejected. About that I am certain.

How much time remains?

The PRESIDING OFFICER. The Senator has 1 minute 10 seconds remaining.

Mr. DOMENICI. On the time I yielded to myself?

The PRESIDING OFFICER. Yes.

Mr. DOMENICI. I want to try to raise a concept and see if we can get this where more people would begin to discuss this idea. In a hearing about 8 days ago, a crude oil expert made the statement that we would be using oil as a bridge to the future for more than 30 years. Let me repeat. We will be using crude oil as a bridge to the future for more than 30 years, this expert said, perhaps 40 years or more.

That is kind of common sense. Crude oil is used to make gasoline and things such as gasoline, and those are used in the importation industry. We cannot get rid of that quickly.

The PRESIDING OFFICER. The Senator is now using leadership time.

Mr. DOMENICI. I will use 1 minute and then I will sit down. Let me repeat so everybody will get this. For something like 40 years, we will be using crude oil, our own or others, because we cannot get rid of the current mode of transportation any quicker. Cars will be cars, and we will be using them because we cannot wean them off the scene. As we move to a better era of a better life where we do not have to use crude oil in our daily lives so much, we will have to use the bridge which will be crude oil.

Now, why do I talk about this? I do because it is important we understand that if we have any cards, playing poker, if we have any aces in our hands, we better go ahead and play them, and the aces are crude oil we might produce some way that is ours. We ought to go ahead and play the card. I submit that we do have a lot of aces. We have got a huge amount of crude oil that is in the Outer Continental Shelf that we ought to be exploring for forthwith. We ought to take the moratoria off and start at 50 miles out across this land. If we did that and sent that message for starters, it would be received in a terrific way. Take the moratoria that were put in the bill that has been referred to as the Domenici bill for production, and believe it or not, we would send a signal that America is coming back to life, and during that bridge time we are going to produce more oil on our own.

Nothing will help us more in reducing the price and cost to our consumers than that idea we implemented. We must try to do it even if the Democrats do not want us to. We have got to try to force a vote so that people understand what we are trying to do.

I reserve the remainder of my time and I yield the floor.

The PRESIDING OFFICER. Is the Senator seeking to preserve the leader's time?

Mr. DOMENICI. Yes.

The PRESIDING OFFICER. Is there objection?

Mrs. McCASKILL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOMENICI. Mr. President, I assume the Chair is telling me that I cannot reserve any of the leader's time, so

I can sit down and take it at a later time?

The PRESIDING OFFICER. That requires consent. Consent was not granted. The Senator has 4 minutes remaining.

Mr. DOMENICI. All right. I will use it now.

Now, Senators today should have been—under anyone's understanding of the dilemma we are in with the price of oil scaring the American people to death, the amount of money we are sending out of our country to meet our energy needs, it is going to reach \$600 billion a year. With the escalating price of crude oil, that is what it looks like next year. It will be what a full year will cost us, \$600 billion. I would think with that in mind, there would be on the floor of the Senate some real proposals by the Democratic leadership and the majority party.

Instead, what do we get? We get what I call a "no-energy energy bill." It is a no-energy energy bill because it does not produce an ounce of energy; it raises the cost instead of lowering the cost of crude oil; it produces less rather than more crude oil. That is why there is nothing going on on the floor, because there is nothing exciting. The Democrats have offered nothing.

We are begging them to try something. We are begging them to try something that would produce more American oil or oil substitutes. We know what they are. The distinguished Senator from Colorado knows what they are. We know that offshore, deep-water exploration around the shores of America could be put in effect by raising the moratorium, and we would have literally billions of reserves of oil and trillions of cubic feet of natural gas readily made available.

We need to take off the moratorium that we put on ourselves, take it off and say to the people: Let's produce it. It would take a few years. But the signal would be positive. We would have the oil shale in your State and Utah, your sister State, if we said we are ready to set the final guidelines so the oil companies can invest. Someone down here prior to my speech said the oil companies will not do anything to help. Yes, indeed they will. One of them is investing \$8.5 billion in oil shale and tar sands up in our neighboring country of Canada. Some people think that is terrible, because they did not want them to produce that kind of oil. But I do not think it is terrible, because it eliminates the potential for gouging, for prices being too high. Because if you have these great inventories of resources and they are yours and you can use them, you ameliorate the increasing price of oil, and we ought to be doing that.

Instead of that, we are down here talking about a second bill. The second bill is a bill passed by the House, sent over here to us that is full of tax increases to pay for a series of tax incentives that we should pass without the tax increases. We have done it before, we ought to do it.

That bill ought to be defeated, no question about it, because we ought to pass it. We need the incentives, but we do not need the tax increases. We have done it without tax increases twice before, and somehow or other the House keeps getting it put in their head if they send it over here with other tax increases, different ones, we will go for it. I think it is pretty clear we will not.

So it is an interesting day. Instead of being here with some positive things we are going to do, we will be here defending some old ideas that are not going to help one bit, and we are saying, let's try them anyway.

I yield the floor.

Mr. LEVIN. Mr. President, day after day record-high oil and gasoline prices are causing immense harm to millions of American consumers and businesses. Unless something is done to make energy more affordable, these record-high prices will continue to damage our economy, increasing the prices of transportation, food, manufacturing, and everything in between. Skyrocketing energy prices are a threat to our economic and national security, and the time is long past for action.

My Senate Permanent Subcommittee on Investigations has conducted four separate investigations into how our energy markets can be made to work better. Most recently, last December, we had a joint hearing with the Senate Energy Subcommittee on the role of speculation in rising energy prices. As a result of these investigations and hearings, I have been advocating a variety of measures to address the rampant speculation and lack of regulation of energy markets which have contributed to sky high energy prices:

First, put a cop—a regulatory agency—back on the beat in the energy markets to prevent excessive speculation and manipulation. That includes closing the Enron loophole and the London loophole and taking other steps to strengthen market oversight.

Second, develop alternatives to fossil fuels to reduce our dependence on oil.

Third, impose a windfall profits tax on oil companies that have profited from the massive price runup and use the money to help consumers, boost domestic energy supplies, improve energy technologies, and strengthen our energy markets.

One of the major causes of our energy crisis is the failed policies of the current administration. The chickens have come home to roost on 7 years of a business-as-usual energy policy, paired with fiscal and foreign policies that have pushed our growing energy problem close to a breaking point. Because the administration has proved itself unable and unwilling to take the necessary steps to provide affordable energy supplies to the American people, it is up to the Congress to try to jumpstart a comprehensive solution to skyrocketing energy prices. Congress already has taken two important steps this year—we have closed the Enron loophole and we have stopped the ad-

ministration's misguided program to keep on filling the SPR despite record-high prices—but more can and should be done. That is why I support enactment of the Consumer-First Energy Act now before us and will be voting for cloture on this bill.

Last week the price of crude oil reached a record high price of about \$139 per barrel. Sky-high crude oil prices have led to record highs in the price of other fuels produced from crude oil, including gasoline, heating oil, diesel fuel, and jet fuel. The national average price of gasoline is at a record high of just over \$4 per gallon. The price of diesel fuel, which is normally less expensive than gasoline, has soared to a record high of nearly \$4.60 per gallon.

Rising energy prices increase the cost of getting to work and taking our children to school, traveling by car, truck, air and rail, and growing the food we eat and transporting it to market. Rising energy prices increase the cost of producing the medicines we need for our health, heating our homes and offices, generating electricity, and manufacturing countless industrial and consumer products. The relentless increase in jet fuel prices, which have added nearly \$75 billion to our airlines' annual fuel costs, has contributed to airline bankruptcies, mergers, fare increases, and service cuts. "If fuel continues to go up, this industry cannot survive in current form," the president of the Air Transport Association said recently. Rising diesel prices have placed a crushing burden upon our Nation's truckers, farmers, manufacturers, and other industries. To make matters worse, our energy costs are rising much more quickly than energy costs in other countries, directly threatening our global competitiveness.

In January 2001, when President Bush took office, the price of oil was about \$30 per barrel. The average price for a gallon of gasoline was about \$1.50. Since President Bush took office, crude oil prices have more than quadrupled, natural gas prices to heat our homes have almost doubled, gasoline prices have nearly tripled, and diesel fuel prices have more than tripled.

It doesn't have to be this way. Just 7 years ago, at the end of the Clinton Administration, energy supplies were plentiful, and gasoline and other forms of energy were affordable. Once the Bush administration took office, however, it didn't take them long to eliminate the budget surplus by cutting taxes mainly for the wealthiest among us, creating a huge annual budget deficit, and driving up the national debt. This fiscal mismanagement has contributed significantly to a steep decline in the value of the dollar and soaring commodity prices. Because American currency is worth less, it takes more of them to buy the same barrel of oil. American consumers and businesses are forced to spend more and more of their hard-earned dollars to buy the same amount of energy.

During the last years of the Clinton administration, the United States ran a budget surplus, totaling nearly \$560 billion. But over the past 6 years of the Bush administration the annual deficits have totaled nearly \$1.7 trillion, not counting the amount by which the Bush administration has been draining the Social Security and Medicare trust funds. When this is counted, under this administration the total outstanding debt has increased by a whopping \$3.2 trillion.

When President Clinton left office, the dollar was worth more than the Euro. In January 2001, it took only about 90 cents to buy one Euro. Today, it takes about \$1.60 to buy one Euro—a record low for the dollar. The fall in the value of the dollar is a result of a weakened U.S. economy, a high trade deficit and a worldwide lack of confidence in the Bush administration's ability to manage our Nation's economy and foreign policy.

As long as this administration continues to insist on irresponsible fiscal practices—including tax cuts for people with the highest income and an open-ended conflict in Iraq that is costing \$12 billion a month—the dollar will likely continue to decline in value. The marketplace has rendered a clear “no confidence” in this administration's fiscal competence.

Besides the weak dollar, there are other factors at work that account for soaring energy prices. Some are beyond our control; others we can do something about. In global markets, for example, the combination of increasing demand from developing countries, coupled with a variety of political problems in supplier countries, has contributed to price increases. Growing demand for oil and gas in China, India, and other developing countries is contributing to an overall increase in global demand for crude oil. On the supply side, many oil producing countries are politically unstable and have not been fully reliable suppliers. For example, in Nigeria, which is a major oil-producing country, for several years tribal gangs have been sabotaging production and pipelines.

While we can't do much about growing demand in China and India, other causes of high prices can be addressed. For example, one key factor in energy price spikes is rampant speculation in the energy markets. Traders are trading contracts for future delivery of oil in record amounts, creating a paper demand that is driving up prices and increasing price volatility solely to take a profit. Overall, the amount of trading of futures and options in oil on the New York Mercantile Exchange has risen sixfold in recent years, from 500,000 outstanding contracts in 2001, to about 3 million contracts now.

Much of this increase in trading of futures has been due to speculation. Speculators in the oil market do not intend to use crude oil; instead they buy and sell contracts for crude oil just to make a profit from the changing

prices. The number of futures and options contracts held by speculators has gone from around 100,000 contracts in 2001, which was 20 percent of the total number of outstanding contracts, to 1.2 million contracts currently held by speculators, which represents almost 40 percent of the outstanding futures and options contracts in oil on NYMEX.

There are now 12 times as many speculative holdings as there was in 2001, while holdings of non-speculative futures and options are up but 3 times.

Not surprisingly, this massive speculation that the price of oil will increase has, in fact, helped fuel the actual increase in the price of oil to a level far above the price that is justified by the traditional forces of supply and demand.

The president and CEO of Marathon Oil recently said, “\$100 oil isn't justified by the physical demand in the market. It has to be speculation on the futures market that is fueling this.” Mr. Fadel Gheit, oil analyst for Oppenheimer and Company, describes the oil market as “a farce.” “The speculators have seized control and it's basically a free-for-all, a global gambling hall, and it won't shut down unless and until responsible governments step in.” In January of this year, as oil hit \$100 barrel, Mr. Tim Evans, oil analyst for Citigroup, wrote “the larger supply and demand fundamentals do not support a further rise and are, in fact, more consistent with lower price levels.” At the joint hearing on the effects of speculation held by my subcommittee last December, Dr. Edward Krapels, a financial market analyst, testified, “Of course financial trading, speculation affects the price of oil because it affects the price of everything we trade. . . . It would be amazing if oil somehow escaped this effect.” Dr. Krapels added that as a result of this speculation, “There is a bubble in oil prices.”

A fair price for a commodity is a price that accurately reflects the forces of supply and demand for the commodity, not the trading strategies of speculators who only are in the market to make a profit by the buying and selling of paper contracts with no intent to actually purchase, deliver, or transfer the commodity. As we have all too often seen in recent years, when speculation grows so large that it has a major impact on the market, prices get distorted and stop reflecting true supply and demand.

Last month, Senator JACK REED and I wrote a letter asking President Bush to appoint a high-level task force to evaluate how speculators are driving up prices through manipulative or deceptive devices. The task force should also evaluate whether there are adequate regulatory tools to control market speculation and prevent manipulation. Hopefully the President will act quickly to convene this task force.

Excessive market speculation is a factor that we can and should do a better job of controlling. There are other long overdue actions as well that, if

taken as part of a comprehensive plan, can combat rising energy prices.

As to reining in speculation, the first step to take is to put a cop back on the beat in all our energy markets to prevent excessive speculation, price manipulation, and trading abuses. In 2001, my Senate Permanent Subcommittee on Investigations began investigating our energy markets. At the time, the price of a gallon of gasoline had spiked upwards by about 25 cents over the course of the Memorial Day holiday. We subpoenaed records from major oil companies and interviewed oil industry experts, gas station dealers, antitrust experts, gasoline wholesalers and distributors, and oil company executives. We examined thousands of prices at gas stations in Michigan, Ohio, California, and other States. In the spring of 2002, I released a 400-page report and held 2 days of hearings on the results of the investigation.

The investigation found that increasing concentration in the gasoline refining industry, due to a large number of recent mergers and acquisitions, was one of the causes of the increasing number of gasoline price spikes. Another factor causing price spikes was the increasing tendency of refiners to keep lower inventories of gasoline. We also found a number of instances in which the increasing concentration in the refining industry was also leading to higher prices in general. Limitations on the pipeline that brings gasoline into my home State of Michigan were another cause of price increases and spikes in Michigan. The report recommended that the Federal Trade Commission carefully investigate proposed mergers, particularly with respect to the effect of mergers on inventories of gasoline.

The investigation discovered one instance in which a major oil company was considering ways to prevent other refiners from supplying gasoline to the Midwest so that supply would be constricted and prices would increase.

In March 2003, my subcommittee released a second report detailing how the operation of crude oil markets affects the price of not only gasoline but also key commodities like home heating oil, jet fuel, and diesel fuel. The report warned that U.S. energy markets were vulnerable to price manipulation due to a lack of comprehensive regulation and market oversight.

Following this report, I worked with Senator FEINSTEIN on legislation to put the cop back on the beat in those energy markets that had been exempted from regulation pursuant to an “Enron loophole” that was snuck into other legislation in December 2000. For 2 years we attempted to close the Enron loophole, but efforts to put the cop back on the beat in these markets were unsuccessful, due to opposition from the Bush administration, large energy companies, and large financial institutions that trade energy commodities.

In June 2006, I released another Subcommittee report, “The Role of Market

Speculation in Rising Oil and Gas Prices: A Need to Put a Cop on the Beat." This report found that the traditional forces of supply and demand no longer accounted for sustained price increases and price volatility in the oil and gasoline markets. The report determined that, in 2006, that a growing number of energy trades occurred without regulatory oversight and that market speculation had contributed to rising oil and gasoline prices, perhaps accounting for \$20 out of a then-priced \$70 barrel of oil.

The subcommittee report I released in June 2006 again recommended new laws to increase market oversight and stop market manipulation and excessive speculation. I again coauthored legislation with Senator FEINSTEIN to improve oversight of the unregulated energy markets. Once again, opposition from the Bush administration, large energy traders, and the financial industry prevented the full Senate from considering this legislation.

In 2007, my Permanent Subcommittee on Investigations addressed the sharp rise in natural gas prices over the previous year and released a fourth report, entitled "Excessive Speculation in the Natural Gas Market." Our investigation showed that speculation by a single hedge fund named Amaranth had distorted natural gas prices during the summer of 2006 and drove up prices for average consumers. The report also demonstrated how Amaranth had traded in unregulated markets to avoid the restrictions and oversight in the regulated markets and how the price increases caused by Amaranth could have been prevented if there had been the same type of oversight in the unregulated markets as in the regulated markets.

Following this investigation, I introduced a new bill, S. 2058, to close the Enron loophole and regulate the unregulated electronic energy markets. Working again with Senators FEINSTEIN and SNOWE and with the members of the Agriculture Committee in a bipartisan effort, we finally managed to include an amendment to close the Enron loophole in the farm bill that was then being considered by the Senate. The Senate unanimously passed this amendment to close the Enron loophole last December. The final farm bill that was passed by the House and Senate last month included language nearly identical to what the Senate had passed. Although President Bush vetoed the entire farm bill, both the House and Senate have overridden his veto. Our 5-year quest to close the Enron Loophole has finally been successful.

The CFTC is now in the process of implementing the close-the-Enron-loophole law. Among other steps, it is charged with reviewing the contracts on previously unregulated energy markets, like the Intercontinental Exchange or ICE, to determine which contracts have a significant effect on energy prices and must undergo daily

oversight. Once that process is complete, the cop will be back on the beat in those markets for the first time since 2000.

Closing the Enron loophole is vitally important for energy market oversight as a whole, and for our natural gas markets in particular, but it is not enough. Because over the last 2 years, energy traders have moved a significant amount of U.S. crude oil and gasoline trading to the United Kingdom, beyond the direct reach of U.S. regulators, we have to address that second loophole too. I call it closing the London loophole.

There are currently two key energy commodity markets for U.S. crude oil and gasoline trading. The first is the New York Mercantile Exchange or NYMEX, located in New York City. The second is the ICE Futures Europe exchange, located in London and regulated by the British agency called the Financial Services Authority.

The British regulators, however, do not oversee their energy markets the same way we do; they don't place limits on speculation like we do, and they don't make public the same type of trading data that we do. That means that traders can avoid the limits on speculation in crude oil imposed on the New York exchange by trading on the London exchange. It also makes the London exchange less transparent than the New York exchange. My original legislation to close the Enron loophole would have required U.S. traders on the London exchange to provide U.S. regulators with the same type of trading information that they are already required to provide when they trade on the New York Mercantile Exchange. Unfortunately, this provision was dropped from the close-the-Enron-loophole legislation in the farm bill.

The Consumer-First Energy Act, S. 3044, which the majority leader and others introduced recently to address high prices and reduce speculation, includes at my request a provision to curb rampant speculation, increase our access to foreign exchange trading data, and strengthen oversight of the trading of U.S. energy commodities no matter where that trading occurs. This provision would require the Commodity Futures Trading Commission, CFTC, prior to allowing a foreign exchange to establish direct trading terminals located in this country, to obtain an agreement from the that foreign exchange, such as the London exchange, to impose speculative limits and reporting requirements on traders of U.S. energy commodities that are comparable to the requirements imposed by the CFTC on U.S. exchanges. I believe this issue is so important that I have introduced this section of the package as a separate bill, which is numbered S. 2995. Senator FEINSTEIN is a cosponsor of that bill.

Following the introduction of our legislation, the CFTC finally moved to address some of the gaps in its ability to oversee foreign exchanges operating

in the United States. Specifically, the CFTC, working with the United Kingdom Financial Services Authority and the ICE Futures Europe exchange, announced that it will now obtain the following information about the trading of U.S. crude oil contracts on the London exchange:

Daily large trader reports on positions in West Texas Intermediate or WTI contracts traded on the London exchange; information on those large trader positions for all futures contracts, not just a limited set of contracts due to expire in the near future; enhanced trader information to permit more detailed identification of end users; improved data formatting to facilitate integration of the data with other CFTC data systems; and notification to the CFTC of when a trader on ICE Futures Europe exceeds the position accountability levels established by NYMEX for the trading of WTI crude oil contracts.

These new steps will strengthen the CFTC's ability to detect and prevent manipulation and excessive speculation in the oil and gasoline markets. It will ensure that the CFTC has the same type of information it receives from U.S. exchanges in order to detect and prevent manipulation and excessive speculation.

However, in order to fully close the London loophole, better information is not enough. The CFTC must also have clear authority to act upon this information to stop manipulation and excessive speculation.

That is why I have been working with the sponsors of the Consumer-First Energy Act to include additional language to ensure that the CFTC has the authority to act upon the information it will obtain from the London exchange, in order to prevent price manipulation and excessive speculation. This new provision, which I helped author, would make it clear that the CFTC has the authority to prosecute and punish manipulation of the price of a commodity, regardless of whether the trader within the United States is trading on a U.S. or on a foreign exchange. It would also make it clear that the CFTC has the authority to require traders in the United States to reduce their positions, no matter where the trading occurs—on a U.S. or foreign exchange—to prevent price manipulation or excessive speculation. Finally, it would clarify that the CFTC has the authority to require all U.S. traders to keep records of their trades, regardless of which exchange the trader is using.

It is my understanding that this new provision will be included in a substitute amendment that will be offered today or in a future debate on this bill, if cloture is not invoked today. I thank the bill sponsors for accepting this language to ensure that the CFTC has full enforcement authority over traders within the United States who are trading on a foreign exchange, just as the CFTC has over traders who are trading on a U.S. exchange. This clarification of the CFTC's enforcement authority over traders in the United States, together with the earlier provision setting standards for foreign boards of

trade wishing to place trading terminals in the United States, will fully close the London loophole.

There is another problem with our energy markets that Congress has finally acted on. In 2003, a report issued by my Subcommittee staff found that the Bush administration's large deposits of oil into the Strategic Petroleum Reserve, SPR, were increasing crude oil prices without improving overall U.S. energy security. We found that in 2002, the Bush administration, over the repeated objections of its own experts in the Department of Energy, had changed its policy and decided to put oil into the SPR regardless of the price of oil or market conditions. By placing oil into the SPR while oil prices were high and oil supplies were tight, the administration's deposits into the SPR were reducing market supplies and boosting prices, with almost no benefit to national security, given the fact that the SPR is more than 95 percent filled. The DOE experts believed that in a tight market, we are better off with keeping the oil on the market rather than putting it into the ground where it cannot be used.

Following the issuance of this report, in early 2003, I asked the Department of Energy to suspend its filling of the SPR until prices had abated and supplies were more plentiful. DOE refused to change course and continued the SPR fill without regard to market supplies or prices.

After DOE denied my request, I offered a bipartisan amendment with Senator COLLINS to the Interior appropriations bill, which provides funding for the Strategic Petroleum Reserve program, to require DOE to minimize the costs to the taxpayers and market impacts when placing oil into the SPR. The Senate unanimously adopted our amendment, but it was dropped from the conference report due to the Bush Administration's continued opposition.

The next spring, I offered another amendment, also with Senator COLLINS, to the budget resolution, expressing the sense of the Senate that the administration should postpone deliveries into the SPR and use the savings from the postponement to increase funding for national security programs. The amendment passed the Senate by a vote of 52 to 43. That fall, we attempted to attach a similar amendment to the homeland security appropriations bill that would have postponed the SPR fill and used the savings for homeland security programs, but the amendment was defeated by a procedural vote, even though the majority of Senators voted in favor of the amendment, 48 to 47.

The next year, the Senate passed the Levin-Collins amendment to the Energy Policy Act of 2005 to require the DOE to consider price impacts and minimize the costs to the taxpayers and market impacts when placing oil into the SPR. The Levin-Collins amendment was agreed to by the conferees and is now law.

Unfortunately, passage of this provision has had no effect upon DOE's ac-

tions. DOE continued to fill the SPR regardless of the market effects of buying oil, thereby taking oil off the market and reducing supply by placing it into the SPR. In the past year, no matter what the price of oil or market conditions, DOE consistently found that the market effects are negligible and no reason to delay filling the SPR.

Most recently, at the same time the President was urging OPEC to put more oil on the market to reduce supplies, the administration was continuing to take oil off the market and place it into the SPR. Until recently, the DOE was depositing about 70,000 barrels of crude oil per day into the SPR, much of it high-quality crude oil ideal for refining into gasoline. It defies common sense for the U.S. Government to be acquiring oil at \$120 or \$130 per barrel, in a time of tight supply, taking that oil off the market, and putting it in the SPR. That is why I cosponsored Senator DORGAN's bill to suspend the SPR fill, as well as a similar provision in the Consumer-First Energy Act.

Finally, Congress had had enough of this senseless policy. The provision to stop the continuous filling of the SPR was pulled from the Consumer-First Energy Act and offered in the House and Senate as a stand alone bill. Congress enacted into law by an overwhelming vote. In response, the President finally called a halt to his policy and stopped filling the SPR. It is about time.

The SPR fill policy, by the way, exacerbated yet another problem in our oil markets—the fact that the standard NYMEX futures contract that sets the benchmark price for U.S. crude oil requires a particular type of high quality crude oil known as West Texas Intermediate, WTI, to be delivered at a particular location, Cushing, OK. The standard NYMEX contract price, in turn, has a major influence on the price of fuels refined from crude oil such as gasoline, heating oil, and diesel.

Because the price of the standard contract depends upon the supply of WTI at Cushing, OK, the supply and demand conditions in Oklahoma have a disproportionate influence on the price of NYMEX futures contracts. That means when the WTI price is no longer representative of the price of U.S. crude oil in general, the prices of other energy commodities are also thrown out of whack. In other words, we have an oil futures market that reflects the supply and demand conditions in Cushing, OK, but not necessarily the overall supply and demand situation in the United States as a whole.

I have long called for reform of this outdated feature of the standard NYMEX crude oil contract. In 2003, the PSI report recommended the CFTC and NYMEX to work together to revise the standard NYMEX crude oil futures contract to reduce its susceptibility to local imbalances in the market for WTI crude oil. The subcommittee report

suggested that allowing for delivery at other locations could reduce the volatility of the contract. It is truly disappointing that since our report was issued no progress has been made for allowing for delivery at other places than Cushing, OK. As the price of oil has increased, the distortions and imbalances caused by the atypical nature of the standard contract have gotten worse. It is essential NYMEX repair its crude oil contract.

Putting the cop on the beat in our energy markets, strengthening oversight of U.S. energy commodities traded on foreign exchanges, stopping the SPR fill, and fixing the NYMEX crude oil contract all focus on problems caused by rising energy prices. These consistently rising gas prices also underscore the need to develop advanced vehicle technologies and alternative energy sources that will significantly reduce our dependence on foreign oil.

I have long advocated advanced automotive technologies such as hybrid electric, advanced batteries, hydrogen and fuel cells and promoted development of these technologies through Federal research and development and through joint government-industry partnerships. We need a significant infusion of Federal dollars into these efforts to make revolutionary breakthroughs in automotive technologies. Such an investment will make technologies such as plug-in hybrid vehicles affordable to the American public and reduce our dependence on oil and reduce prices at the pump.

We need an equally strong investment in development of alternative fuels that can replace gasoline. I have strongly supported efforts to increase our production of renewable fuels and to do that in a way that will also reduce our greenhouse gas emissions. We need a strong push toward biofuels produced from cellulosic materials, which requires a significantly greater Federal investment in biofuels technologies. Cellulosic ethanol has enormous potential for significant reductions in greenhouse gas emissions, but additional Federal support is required to make this technology financially viable. We need expanded Federal research and development grants as well as increased tax incentives and Federal loan guarantees to make cellulosic ethanol a viable replacement for gasoline. The Federal Government must do its part first to develop these technologies so that they will then in turn be within reach of the American public.

One more point. The burden of higher energy prices is not being shared equally. To the contrary, it is falling hardest upon those who can least afford it. Large oil companies are reaping record profits at the expense of the average American who ultimately bears the full burden of these price increases. At the same time that average Americans are having to devote a greater and greater portion of their income to pay for basic necessities, such as gasoline, household utilities, and food, the major oil companies are reporting record profits and

their executives are taking home annual paychecks of hundreds of millions of dollars. Many of these profits have been generated without any additional investments into energy production. Rather, these companies have seen their profits rise with the flood of speculation. What is a high tide of profits for the oil companies, though, is a tsunami that is overwhelming millions of Americans.

And what are these oil companies doing with these record profits? Are they investing in new technologies? The answer is that the oil companies are not increasing their exploration and development investments by nearly as much as their profits are increasing. Instead, they are devoting large amounts of their profits to acquiring other companies and buying back their own shares. On May 1 of this year, the Wall Street Journal reported that in the first quarter of 2008 ExxonMobil spent \$8 billion to buy back company shares, which “boosted per-share earnings to stratospheric levels,” whereas it spent less on exploration and actually reduced oil production.

For these reasons, we need to institute a windfall profits tax on the oil companies. We should incentivize big oil companies to invest their windfall profits into things that will increase our own domestic energy production by reducing the amount of the tax for such investments. If they don't make these investments, a portion of that profit should be recouped by the public to help offset the outrageous prices they are facing at the pump.

I have supported a windfall profits tax numerous times when we have voted on it in the Senate. The Consumer-First Energy Act, imposes a 25 percent tax on windfall profits of the major oil companies. Windfall profits invested to boost domestic energy supplies would be exempt from the tax, which would encourage investments in renewable facilities and the production of renewable fuels such as ethanol and biodiesel. It would also encourage oil companies to increase their domestic refinery capacity. Proceeds from the tax would be put toward measures to reduce the burdens of rising energy costs and increase our energy independence and security.

Sky-high energy prices are causing immense financial pain to working families and businesses throughout this country and tying our already weak economy in knots. Congress cannot just stand by; we must act now to stop the pain. Immediate steps include putting the cop on the beat in all of our energy markets to prevent price manipulation and excessive speculation, strengthening oversight of U.S. energy commodities traded in London, fixing the key NYMEX crude oil contract, investing in advanced vehicle technologies and alternative energy sources, and imposing a windfall profits tax on the oil companies. Longer range steps include fixing the fiscal policies undermining the strength of

the U.S. dollar, including by eliminating tax cuts for the wealthiest among us, reducing the \$12 billion a month spending bill in Iraq, and closing outrageous tax loopholes that enable tax dodgers to use offshore tax havens to avoid payment of taxes in the range of \$100 billion each year.

We can fight back against exorbitantly high energy prices. But it will take all our energy—and determination—to do it.

Mr. FEINGOLD. Mr. President, I am very disappointed that a minority of Senators blocked the Consumer-First Energy Act of 2008, which puts American consumers ahead of big oil companies and other corporate interests.

This bill would prevent price gouging and market manipulation from driving up the price of gas. The anti-price gouging language, based on Senator CANTWELL's bill that I cosponsored, would protect consumers from price gouging by sellers and distributors of oil, gasoline, or petroleum distillates during natural disasters and abnormal market disruptions. As a cosponsor of the Oil and Gas Traders Oversight Act, I also strongly support closing loopholes that allow traders using overseas markets to secretly bid up the price of oil and saddle Americans with the price at the gas pump.

Today's vote on the Consumer-First Energy Act of 2008 was an opportunity to stand up to the OPEC cartel and force big oil to pay their fair share. I have long supported the efforts of the senior Senator from Wisconsin to make oil-producing and exporting cartels illegal and make colluding oil-producing nations liable in U.S. court for violations of antitrust law. Our oil companies can also be part of the solution. This bill would have encouraged them to invest in clean, affordable, and domestically produced renewable alternative fuels, expanded refinery capacity and utilization, and renewable electricity production.

Last year's Renewable Fuels, Consumer Protection, and Energy Efficiency Act of 2007 put our Nation's energy policy on a new path: one that encourages renewable energy, conservation of the resources we have, and American innovation. But we have more work to do, and today's vote is a step back in those efforts.

I will continue to support both short- and long-term solutions to our Nation's energy needs that protect American consumers while working to invest in renewable and alternative energies and break our addiction to oil.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. McCASKILL. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. The Senator has 10 minutes.

Mrs. McCASKILL. I will speak for 5 minutes. I would appreciate it if you would let me know when I have 1 minute.

Mr. President, you know this is not complicated. You would have to not be

walking around in the United States of America to not feel incredible pressure at this moment. I feel so lucky to be in the Senate, and I feel such a responsibility to communicate the pressure we are all feeling from people who are hurting.

Let me run through a few facts.

Since 2002, profits for the five largest oil companies have quadrupled. Let me say that again. Since 2002, profits have quadrupled. Last year, ExxonMobil made \$83,000 a minute in profit—\$83,000 a minute.

Now, are they using all this profit to invest in alternative fuels? How about increasing refinery capacity? Oh, no, no. They have their hand out to us. This is the nerve. Insanity is doing the same thing over and over and thinking you are going to get a different result.

We are paying oil companies right now. This is the largest package of corporate welfare this country has ever delivered. What nerve does it take for us to give oil companies \$17 billion in taxpayer money with those kinds of profits?

This is like the “twilight zone.” This cannot be real. We cannot honestly be standing here and saying to the American people: It is a great idea for us to keep giving them your money when they are making \$83,000 a minute.

I was reading the paper this morning, and nothing is more expensive than ads in the New York Times. I ask unanimous consent to show an ad in the New York Times this morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. McCASKILL. OK. This is it: a two-page spread. Do you know what this costs you? A half a million dollars. A half a million dollars Exxon spent this morning. And guess what. They spent it yesterday morning, and they are going to spend it tomorrow morning. It is a series—all about what a great job they are doing for the American people.

They are spending \$2.5 million in the New York Times this week, while Missourians in rural Missouri are scared they cannot go to work anymore. They have no bus they can take. They have no metro they can take. They are trying to figure out how they can drive to and from work, how they can put food on the table, and these guys are spending \$2.5 million on PR. It is unbelievable.

We have given big oil, in 2004 and 2005, tax breaks worth over \$17 billion over the next decade. What does the other side say? We need to give them more. We have to pay them to increase refinery capacity. Excuse me? We have to pay them—the taxpayers of this country? I do not know how out of touch we could be. We are not asking for a lot. Just take away the taxpayer money. We do not begrudge people profit.

Now, here is what is unbelievable. I do not know how this bill would turn out if we debated it—

The PRESIDING OFFICER. That Senator has used 4 minutes.

Mrs. McCASKILL. Thank you, Mr. President.

I do not know how this bill would turn out if we debated it honestly, but I do know one thing. We have a choice in about 5 minutes. We can do nothing or we can work as hard as we know how to do something. If the choice—if the choice—is to do nothing, then I hope the people of this country rise up and scream like they have never screamed before. How dare us do nothing.

That is what they are about getting ready to vote on. They are going to say: We are not going to even let you proceed to try to do something about this problem. It takes a lot of nerve. It takes a lot of nerve.

Mr. President, I yield the remainder of the time.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I thank you.

I thank the Senator from Missouri for her comments. They were right on.

I rise today to call for action by the Senate on an urgent problem facing this country, facing the State of Montana: gas prices.

The national average now, we just found out last weekend, is \$4 a gallon. I remember when gas was \$1.46. It was not that long ago. It was before the Bush administration took over. That was before the war in Iraq, before speculators and market manipulators spiraled out of control, before that \$17 billion Bush tax cut for our Nation's biggest oil companies.

These gas prices hurt. They especially hurt hard-working people in Montana and across rural America. In my State, nearly everybody has to drive to work. There are not other options. We do not have a subway system. We do not have other means of mass transit. Whether it is on a tractor or behind the wheel of a truck, a lot of folks rely on horsepower and the fuel to supply that horsepower to get their work done.

Of course, high gas prices means high prices for consumer goods. It means fewer jobs. Middle-class families are getting pinched hard by these high gas prices. For low-income folks, high gas prices are unbearable. They do not need to see headlines like in Newsweek this week to know our economy is in trouble. People are already feeling it. Yet we have seen no solutions from this administration.

I am not even convinced this administration considers rising gas prices a problem. Earlier this year, a reporter asked President Bush what advice he had to consumers facing \$4 a gallon gas. He was visibly surprised and asked the reporter where he had heard that.

Well, working folks and small businesses have felt the pain for some time now. Our farmers all over rural America have known it for quite a while. Our trucking and transportation industry has felt it hard for a long time. The cost of diesel fuel that powers our tractors, our combines, and our trucks that

take food to the grocery stores hit \$4 back in April. It is closing in on \$5. Every working family and small business and farmer and trucker is taking a hit—a big hit—on these fuel prices.

That is why I am supporting these two packages today that go to the root of the problems of high gas costs. They offer some solutions.

The Consumer-First Energy Act will go after commodity speculators who are manipulating the market. It needs to be done. It will let the Justice Department go after the illegal OPEC oil cartel in court. It needs to be done. It will put a stop to the big tax giveaways the last Congress gave to big oil, which needs to be done. It will protect consumers from price colluders and price gougers. This needs to be done.

This bill will immediately put a stop to the financial gimmicks that have driven up the cost of oil past the laws of supply and demand. If you do not think speculators are playing with the markets, and they are having a big impact, let me remind you of the Enron collapse, the dot-com bust, and the demise of the housing market. It is all happening in oil right now.

When Wall Street investment banks faced trouble a couple months ago, the Bush administration swiftly took action. But when American consumers have to tap into their savings or run up their credit card debt just to pay the price at the pump, the administration is nowhere to be seen.

The Consumer-First Energy Act is about solutions. They are solutions we need to invest in right now. We have the opportunity in the United States to drill for oil in places that make sense—eastern Montana, the western Dakotas, the Bakken field. And wouldn't you know, it is the smaller companies—not the big companies—that are going after those reserves. It is the smaller companies innovating, investing in the future, boosting domestic oil production right now, working with the folks in those regions, boosting rural economies.

My colleague, Senator BAUCUS, has again brought forward an energy tax package that will help extend some of the most successful and effective tax credits that are driving alternative energy development. He brought a similar package forward last year, only to have it narrowly defeated.

I hope we have a different outcome this time because our future energy system depends on new solutions, not old solutions. We have the ideas and the ambition, but we need to get on with new innovations in the marketplace.

It is time to resolve these energy costs and take a step toward solving our energy problems. We have to work together, and I am confident we can work together to find solutions to bring the costs back down.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. All time is yielded back.

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to S. 3044, the Consumer-First Energy Act of 2008.

Harry Reid, Barbara Boxer, Charles E. Schumer, Sheldon Whitehouse, Robert P. Casey, Jr., Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Daniel K. Akaka, Jack Reed, Claire McCaskill, Christopher J. Dodd, Amy Klobuchar, Patrick J. Leahy, Barbara A. Mikulski, Frank R. Lautenberg, Carl Levin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 3044, the Consumer-First Energy Act of 2008, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from New York (Mrs. CLINTON), the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 43, as follows:

[Rollcall Vote No. 146 Leg.]

YEAS—51

Akaka	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Grassley	Nelson (NE)
Biden	Harkin	Pryor
Bingaman	Inouye	Reed
Boxer	Johnson	Rockefeller
Brown	Kerry	Salazar
Cantwell	Klobuchar	Sanders
Cardin	Kohl	Schumer
Carper	Lautenberg	Smith
Casey	Leahy	Snowe
Coleman	Levin	Stabenow
Collins	Lieberman	Tester
Conrad	Lincoln	Warner
Dodd	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Mikulski	Wyden

NAYS—43

Alexander	DeMint	McConnell
Allard	Dole	Murkowski
Barrasso	Domenici	Reid
Bennett	Ensign	Roberts
Bond	Enzi	Sessions
Brownback	Gregg	Shelby
Bunning	Hagel	Specter
Burr	Hatch	Stevens
Chambliss	Hutchison	Sununu
Coburn	Inhofe	Thune
Cochran	Isakson	Vitter
Corker	Kyl	Voinovich
Cornyn	Landrieu	Wicker
Craig	Lugar	
Crapo	Martinez	

NOT VOTING—6

Byrd	Graham	McCain
Clinton	Kennedy	Obama

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 51, the nays are 43. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked on the motion to proceed to S. 3044.

The ACTING PRESIDENT pro tempore. The motion is pending.

Mr. REID. Mr. President, because the subway was broken, it made it difficult for some Senators to make it here in time. We had to extend the vote for quite a long period of time.

I have spoken to the Republican leader. I think we would be well served by having the vote on the next cloture motion. We will vote only on one of the judges now. We will come back after lunch and do the others. I will work the time out with the Republican leader. Hopefully, the first business we will conduct will be the votes on the other two district court judges. We won't have time to do them this morning. I will work with the Republican leader and we will come up with a time and give everybody ample notice about when the next vote will occur.

I ask unanimous consent that we have the vote on the first judge, the judge from Virginia, now, and that we then have the vote on the two subsequent judges at a time to be determined by the majority leader in consultation with the Republican leader.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

RENEWABLE ENERGY AND JOB CREATION ACT OF 2008—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak for 1 minute to explain the next vote.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, this vote is about jobs, energy, and paying our Nation's bills. There may be times when delay does not have a significant adverse impact. Today is not one of those days.

The bill before us is a good bill. It extends tax cuts that expired last December.

Companies across America are deciding whether to renew research contracts. Energy companies are deciding whether to buy and build wind turbines. These decisions support jobs.

This bill encourages the search for new and clean energy sources. Harnessing power from ocean waves. Capturing carbon emissions.

This bill also extends expiring individual provisions, including the teach-

er expense deduction and the tuition deduction.

And the bill pays for itself with provisions that are not tax increases. With gasoline topping \$4 per gallon, the American people do not want us to delay.

Is the bill perfect? No.

Will the Senate change it? Yes.

Let's get on with making those changes. I urge my colleagues to support the motion to begin debate on this bill.

The ACTING PRESIDENT pro tempore. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for 1 minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask my colleagues not to give consent to cloture at this time because there are a lot of matters in this bill that ought not be in here. We have matters in here for trial attorneys, and we have matters in here for Davis-Bacon.

We are talking about solving a housing crisis. This is not the way to do it. We ought to give more consideration to it, and not granting cloture is one way of giving greater consideration to what we are going to do.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Under the previous order, pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 767, H.R. 6049, the Renewable Energy and Job Creation Act of 2008.

Harry Reid, Barbara Boxer, Sherrod Brown, Robert Menendez, Kent Conrad, Daniel K. Inouye, Byron L. Dorgan, Jon Tester, Richard Durbin, Patty Murray, Max Baucus, John D. Rockefeller, IV, Maria Cantwell, Frank R. Lautenberg, John F. Kerry, Blanche L. Lincoln, E. Benjamin Nelson.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to Calendar No. 767, H.R. 6049, the Renewable Energy and Job Creation Act of 2008, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from New York (Mrs. CLINTON), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from

South Carolina (Mr. GRAHAM) and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 44, as follows:

[Rollcall Vote No. 147 Leg.]

YEAS—50

Akaka	Feinstein	Nelson (FL)
Baucus	Harkin	Nelson (NE)
Bayh	Inouye	Pryor
Biden	Johnson	Reed
Bingaman	Kerry	Reid
Boxer	Klobuchar	Rockefeller
Brown	Kohl	Salazar
Cantwell	Landrieu	Sanders
Cardin	Lautenberg	Schumer
Carper	Leahy	Smith
Casey	Levin	Snowe
Conrad	Lieberman	Stabenow
Corker	Lincoln	Tester
Dodd	McCaskill	Webb
Dorgan	Menendez	Whitehouse
Durbin	Mikulski	Wyden
Feingold	Murray	

NAYES—44

Alexander	Crapo	Martinez
Allard	DeMint	McConnell
Barrasso	Dole	Murkowski
Bennett	Domenici	Roberts
Bond	Ensign	Sessions
Brownback	Enzi	Shelby
Bunning	Grassley	Specter
Burr	Gregg	Stevens
Chambliss	Hagel	Sununu
Coburn	Hatch	Thune
Cochran	Hutchison	Vitter
Coleman	Inhofe	Voinovich
Collins	Isakson	Warner
Cornyn	Kyl	Wicker
Craig	Lugar	

NOT VOTING—6

Byrd	Graham	McCain
Clinton	Kennedy	Obama

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 50, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. SNOWE. Mr. President, I rise to urge my colleagues to join me in voting to proceed to the tax extenders legislation on the floor. This legislation represents a fiscally responsible and balanced approach to ensure that necessary tax provisions for hardworking American families and indispensable small businesses do not expire.

At a time when our economy teeters on the brink of recession—when unemployment increased 5.5 percent last month—the biggest monthly jump in 12 years—when gasoline at the pump is more than \$4 a gallon and climbing, when the cost of a dozen eggs has risen 38 percent in the last year alone, when oil costs are set to reach \$140 per barrel and analysts are predicting a rise to \$150 by July 4th, and when foreclosures have hit historic levels—is there any question that the American people expect—even demand, not just action but action leading to results. We must forge together the results that address these central issues facing the U.S.

economy and the millions of Americans who are anxiously awaiting action from leaders. And while Congress will be forced to make difficult choices on some of these issues in the coming months, this issue—whether to extend critical tax incentives right now should be, frankly, a straightforward decision.

And now before us is legislation that would extend critical energy tax credits—including the catalyst that caused a 45-percent growth in wind energy last year and energy efficiency tax credits that creates an incentive to reduce energy demand. And we are really debating this question when we saw oil rise by \$11 per barrel in a single day to \$139? To be blunt, this country must wake up and recognize the ramifications of an energy crisis that we have not addressed for 30 years—and counting. Dr. Cooper of the Consumer Federation of America has estimated that from 2002 to 2008 annual household expenditures on energy increased from about \$2,600 to an astonishing \$5,300. The impact in Maine, where 80 percent of households use heating oil to get through a winter, is even worse. Last year at this time, prices were at a challenging \$2.70 a gallon—for the average Mainer who goes through 1,000 gallons of oil that is \$2,700. The price now is \$4.70 meaning that it will cost a Mainer \$4,700 just to stay warm not even considering gasoline costs. That is the difference between a burden and a crisis.

Indeed, the energy efficiency tax incentives and the renewable production tax credit—critical vehicles for moving our country to self sufficiency—are set to expire at the end of this year and some have already expired at the beginning of this year. This is the antithesis of the energy policy that our nation must be employing to address rising energy costs.

Energy efficiency is singlehandedly the most effective investment that our country can make to address the calamity of our energy policy. It is derelict that we would allow energy efficiency tax credits to expire. In fact, some tax credits have already expired, and as a result, there are currently no incentives to purchase efficient furnaces. At a time when Americans are worried about heating bills in June, we must provide the assistance to allow Americans to invest in energy efficient products that will reduce our collective demand for energy, and save Americans money.

For example, included in this package is a \$300 tax credit to purchase a high efficiency oil furnace, which would save over \$180 in annual savings for an average home—according to calculations based on Department of Energy data and recent home heating prices. In addition, this includes an extension of a tax credit for highly efficient natural gas furnaces that saves an individual \$100 per year. However, this tax credit ended at the beginning of this year—right when oil prices began their historic climb.

For businesses that are competing against countries that subsidize oil the

situation is simply untenable. Two weeks ago, Katahdin Paper Company announced that the cost of oil used to run its boilers has caused the company to consider closing the mill's doors. Now, talks are under way to find alternative solutions to preserve the mill's operations and its accompanying jobs, but make no mistake; we are at the tipping point where our economy could well be in ruins directly as a result of high energy costs.

With jobs being lost because of high energy costs, it is crucial that we invest in renewable energy jobs—that will put our economy back to work and invest in secure energy future. Indeed over one hundred thousand Americans could be put to work in 2008 if clean energy production tax credits were extended. However, because the incentives are set to expire this year, renewable energy companies are already reporting a precipitous decrease in investment due to uncertainty. Projects currently underway may soon be mothballed. Clean energy incentives for energy efficient buildings, appliances and other technologies, as well as additional funding for weatherizing homes, would similarly serve to stimulate 2008 economic consumption, lower residential energy costs, and generate new manufacturing and construction jobs. It is irresponsible to allow a bright spot in our economy, the renewable energy industry and energy efficiency industries, to falter, when the product of these industries are so essential to the future of this country.

Failing to act on these crucial incentives could choke off promising business investment in 2008 and miss an opportunity to address high energy costs, a critical contributor to sinking consumer confidence and our Nation's long-term economic challenges. Extending these expiring clean energy tax credits will help ensure a stronger, more stable environment for new investments and ensure continued robust growth in a bright spot in an otherwise slowing economy. This bill presents another opportunity to raise the bar for our future domestic energy systems and energy efficiencies, benefitting our economy, our health, our environment, and our national security.

Not only does the legislation address these critical energy tax provisions, but also extends relief for lower and middle-income Americans, as well as small businesses. In particular, there are a number of provisions that I have championed that have been included by the House legislation and Chairman BAUCUS' amendment.

Fed Chairman Bernanke testified before the House Budget Committee earlier this year that, "a fiscal stimulus package should be implemented quickly and structured so that its effects on aggregate spending are felt as much as possible within the next twelve months or so." Without a doubt, one way to affect spending and help working Americans meet the challenges ahead of us and provide for the families is pro-

viding a tax rebate. Another measure that Senator LINCOLN and I have long championed would enable more hard-working, low-income families to receive the refundable child credit by reducing the income threshold for the refundable credit to \$10,000 and deindexing it from inflation just as it originally passed the Senate in 2001.

The consequences of inaction are serious for low-income Americans living paycheck-to-paycheck, and our proposal will ensure that those low-income, hard-working families that benefit from this credit the most receive it. And, I am very pleased that the House included a version of our proposal, one in which, I might add, would already be putting money in people's pockets had it already been enacted into law providing further economic stimulus during these challenging times.

To ensure that much needed capital investment reaches all corners of the country, the extenders package rightly includes an extension of the new markets tax credit. This program has proven extremely successful in encouraging investment and spurring growth in impoverished areas all across the country, both rural and urban. Senator ROCKEFELLER and I have championed extending this vital incentive with the New Markets Tax Credit Extension Act, S. 1239, a bill that enjoys the bipartisan support of 27 cosponsors.

To provide relief and equity to our Nation's 1.5 million retail establishments, most of which have less than five employees, I have introduced with Senators LINCOLN, KERRY, and HUTCHISON. This provision would reduce from 39 to 15 years the depreciable life of improvements that are made to retail stores that are owned by the retailer. If the motion to proceed passes, I believe that we will have an opportunity to address this inequity given the support for this provision expressed by the chairman of the Finance Committee.

In 2004, I fought for the inclusion of incentives to stop the flow of film productions offshore into the FSC-ETI bill. Consequently, I was very pleased to see the House include an extension of this vital incentive for film production companies planning whether and where to film. The House also included a critical modification to the incentive. Specifically, it would remove the \$15 million cap on film productions eligible for the incentive and instead limiting the deduction to the first \$15 million as the provision was originally passed in the Senate before being amended in conference. This is an issue that I have also worked on with my good friend, the senior Senator from Arkansas, and am so pleased with this provisions inclusion.

So as we can see, this bill provides the Senate an opportunity to consider a number of provisions that are vital in helping our economy weather the recent downturn it is experiencing. The provisions that I have just outlined

will unleash renewable energy projects creating jobs, provided targeted tax relief to low-income working families struggling to pay for the high cost of food and fuel, encourage an infusion of capital into rural and urban communities, provide tax incentives for retail businesses looking to grow their business, and help keep the jobs associated with film production within our borders. Not to mention, the tax extenders bill also includes provisions such as the R&D tax credit, the tuition deduction and the teachers classroom expenses deduction that are widely supported on both sides of the aisle.

Clearly, this tax extenders package is critical to Congress's ongoing efforts to reverse the economic slowdown that our Nation is facing. For the fifth month this year, U.S. employers have cut jobs including 49,000 in the month of May alone. The number of Americans filing first-time claims for unemployment benefits is at its highest level since October of 2004 and the increase in the rate was the largest since 1986.

The Senate should move forward on extending expiring tax relief. There are some aspects of the House bill that I believe should be improved upon, such as providing an AMT patch to stop the expansion of this mass tax. Some on the other side of the aisle believe we should at least attempt to pay for tax relief, a position I happen to agree with. Others on my side of the aisle believe that shouldn't continue to be a maintenance Congress, continually passing short-term temporary tax relief, a position that I also happen to agree with.

There are differences of opinion, but what is the Senate afraid of? What are we afraid of? To debate and to vote on various positions? Some of those issues and positions I would disagree with. But does that mean to say the Senate cannot withstand the conflicting views of various Members of the Senate? It is not unheard of, that both sides of the political aisle will have differing views. So, I would urge my colleagues to join me in supporting the motion to proceed. If the motion succeeds, I am hopeful that we can do what the Senate ought to do—that is find some common ground on an amendment process and a way forward to finally dispose of the legislation and enact this legislation sooner rather than later.

I came to this discussion to work on this issue, to debate, which is consistent with the traditions and principles of this institution, which has been its hallmark. That is why it has been considered the greatest deliberative body in the world. Unfortunately, it is not living up to that expectation or characterization, regrettably.

Let's have an open and unfettered debate, which is consistent with this institution that is predicated on our Founding Fathers' vision of an institution based on accommodation and consensus. You have to get 60 votes. So let's work it out. Let's clear this first

hurdle and proceed to the bill. My side of the aisle will still have another 60 vote threshold to ensure that their concerns are heard.

The Senate is based on consensus. It is based on compromise. It is based on conciliation. It is based on the fact that you have to develop cooperation in order to get anything done. It is not unusual. If historically we took the position: You missed your chance because there are disparate views, so that there would be no opportunity to further discuss or negotiate—we missed our chance? Are we talking about scoring political points? Are we talking about what is the best tax policy for this country?

I am concerned we are taking a political U-turn away from the message in the last election. I was in that last election. I heard loudly and clearly. I don't blame the people of Maine or across this country for their deep-seated frustration. They are right. There was too much partisanship and too much polarization.

What's required now is leadership. We need leadership for this country. They are thirsting for a strong leadership, an honorable leadership that leads us to a common goal. No one expected unanimity in the Senate but we would give integrity to this process to allow it to work and not cynically say who is winning and who is losing today politically. We are not shedding the political past. We have made a political U-turn. We are returning to it.

This isn't about party labels. This isn't whether it is good for Republicans or good for Democrats. It is what is good for America. It is not about red States and blue States. It is about the red, white, and blue. Fact is that with every day that we delay, there are millions of taxpayers in all 50 States who literally will pay the price for our inaction.

I hope we can find a way. What could be of higher priority than to be able to debate and to vote on our respective positions, to give a vote on AMT relief and expiring tax provisions that is so important that a majority of Senators support? Is there anyone in this Chamber who does not think we should extend expiring tax relief? I know we can build the threshold for the 60. It is imperative we do it. It is inexcusable, frankly, that on the process for debating, we cannot reach an agreement. We are failing the American people on a colossal scale. We are held up by arcane procedural measures that could be worked out, if only we reached across the political aisle.

If my remarks sound familiar, then well they should because regrettably I said much the same thing in February of last year at the start of this Congress on another pressing issue of our time. Sadly as we now approach the end of the first session of the 110th Congress, things seemed to have not changed very much. I would hope when we finally adjourn after hopefully extending this critical tax relief that

each and every one of us will return to our homes and when the clock strikes midnight on December 31, that we all make a New Years resolution to make the next Congress a more productive session with Members reaching across the aisle looking for consensus. If we do not, there is one thing that is for certain; the American public is watching.

EXECUTIVE SESSION

NOMINATION OF MARK STEVEN DAVIS TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Mark Steven Davis, of Virginia, to be United States district judge for the Eastern District of Virginia.

The ACTING PRESIDENT pro tempore. We now have 10 minutes of debate equally divided between the chairman and the ranking member. Who yields time?

If no one yields time, time will be charged equally to both sides.

The Senator from Missouri.

Mr. BOND. Mr. President, may I ask for 1 minute from the ranking member.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BOND. Mr. President, my thanks to the committee leaders for bringing forward the nominations to the Senate of Judge Greg Kays and Stephen Limbaugh to be Federal district court judges for the Western and Eastern District Courts of Missouri. Both Judge Kays and Judge Limbaugh are outstanding nominees for the Federal bench. They share bipartisan support, have fine legal minds, long records of public service, and represent the values and character of my Missouri constituents.

Both men's modesty matches the modest size of their Midwestern hometowns. But as we have seen so many times in our history, great men, men of learning, men of intellect and excellence, come from modest places.

One should not doubt this to be the case. Values of fairness, service, kindness, community, learning, self-reliance, and personal responsibility are those that we value in our constituents, in our small-town communities, and we should value in our judges. I think this confirmation process has succeeded in producing two such men.

I thank the Chair, I thank my ranking member, and I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I have spoken to the chairman of the Judiciary Committee and to the Republican leader. We will enter a formal unanimous

consent for the RECORD at a subsequent time, but it appears at this time we will have a vote on one of the remaining two judges at 3:30, and the Judiciary Committee chair, Senator LEAHY, has agreed we will not have to vote on the second one. So there will be one vote on or about 3:30 this afternoon.

Mr. LEAHY. Mr. President, will the Senator yield on the leader's time?

I wanted to have a rollover on this one, and do the other two at whatever time the leader prefers by voice vote.

Mr. REID. I thank the Senator very much. That is wonderful. We can do those before lunch, then.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I ask unanimous consent to have printed in the RECORD the resumes of these three candidates. They were voted on unanimously by voice vote of the committee, and I think their confirmation is assured.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARK STEVEN DAVIS

UNITED STATES DISTRICT JUDGE FOR THE
EASTERN DISTRICT OF VIRGINIA

Birth: 1962, Portsmouth, Virginia.
Legal Residence: Portsmouth, Virginia.
Education: Longwood University, 1980-1982; no degree; University of Virginia, 1982-1984; B.A., May 1984; Washington and Lee University School of Law; J.D., May 1988.

Primary Employment:

Staff Assistant, U.S. Senator John W. Warner, 1984-1985.

Law Clerk to Hon. John A. MacKenzie, U.S. District Court, Eastern District of Virginia, 1988-1989.

Law Firm of McGuire Woods LLP: Associate, 1989-1996; Partner, 1996-1998.

Partner, Law Firm of Carr & Porter LLC (no longer in existence), 1998-2003.

Judge, Third Judicial Circuit of Virginia (Portsmouth Circuit Court), 2003-Present; Chief Judge, July 2006-Present.

Selected Activities:

Virginia State Bar, 1988-Present: Litigation Section Young Lawyers Committee, 1992-1996.

Board of Visitors, Regent University School of Law, 2004-Present.

American Bar Association, 1989-1993.

Federal Bar Association, 1990-1998.

Virginia Bar Association, 1989-Present.

James Kent American Inn of Court, 2005-Present: Pupilage Team Leader, 2007.

Chesapeake Bay Bridge and Tunnel Commission: Commissioner, 1999-2003; Secretary/Treasurer, 2000-2003.

Virginia International Terminals, Inc.: Board of Directors, 2000-2003; Secretary and Executive Committee, 2002-2003; Audit Committee, 2000-2003.

Recipient, Top 40 Under 40, Dolan's Virginia Business Observer Newspaper, 2001.

Recipient, Legal Elite Listing, Virginia Business Magazine, 2002.

ABA Rating: Unanimous "Well Qualified."

DAVID GREGORY KAYS

UNITED STATES DISTRICT JUDGE FOR THE
WESTERN DISTRICT OF MISSOURI

Birth: 1962, Kansas City, Missouri.
Legal Residence: Missouri.

Education: No degree, Drury University, 1981-1982; B.S., Southwest Missouri State University, 1985; J.D., University of Arkansas School of Law, 1988.

Primary Employment: Attorney, Miller and Hutson Law Firm, 1988-1989. Assistant

Public Defender, Office of the Special Public Defender, 8/1989-12/1989. Prosecutor, Laclede County Prosecuting Attorney's Office: Assistant Prosecuting Attorney, 1988-1989; Chief Assistant Prosecuting Attorney, 1989-1991; Prosecuting Attorney, 1991-1995. City Attorney, Lebanon, Missouri, 1992-1994. Judge, State of Missouri: Associate Circuit Judge, Laclede County Circuit Court, 1995-2004; Presiding Circuit Court Judge, 26th Judicial District, 2005-present.

Selected Activities: Board Chairman, First Christian Church, 2007-present; Member, Missouri Task Force on Alternative Sentencing, 2006-2007; Certificate Recipient, National Judicial College, 2007; Recipient, Supreme Court of Missouri Permacore Awards, 2006 and 2007; Adjunct Instructor, Drury University, 1992-2004; Member, Laclede County Bar Association: President, 1992; Member, Missouri Bar Association.

ABA Rating: Substantial majority "Qualified"/Minority "Not Qualified."

STEPHEN NATHANIEL LIMBAUGH, JR.

UNITED STATES DISTRICT JUDGE FOR THE
EASTERN DISTRICT OF MISSOURI

Birth: 1952; Cape Girardeau, Missouri.
Legal Residence: Cape Girardeau, Missouri.
Education: B.A., Southern Methodist University, December 1973; J.D., Southern Methodist University School of Law, December 1976; Masters of Law in the Judicial Process, University of Virginia School of Law, May 1998.

Primary Employment: Associate, Limbaugh, Limbaugh & Russell, 1977-1978; Assistant Prosecuting Attorney, Office of Prosecuting Attorney, Jackson, Missouri, 1978; Prosecuting Attorney, Office of Prosecuting Attorney, Jackson, Missouri, 1979-1982; Shareholder/Partner, Limbaugh, Limbaugh, Russell & Syler, P.C., 1983-1987; Circuit Judge, 32nd Judicial Circuit of Missouri, 1987-1992; Supreme Court Judge, Supreme Court of Missouri, 1992-Present; Chief Justice, 2001-2003.

Selected Activities: Missouri Bar, 1977-Present: Fellow, Missouri Bar Foundation, 1997-Present (Board member, 2001-2003). American Bar Association, 1977-Present: Life Fellow, American Bar Foundation; Litigation Section, 1985-Present; Judicial Administration Division, 1987-Present. The Federalist Society, 1993-Present. Judicial Conference of Missouri, 1987-Present: Legislative Steering Committee, 1989-1991; Executive Council, 1999-2003; Presiding Officer, 2001-2003. Supreme Court of Missouri Committees: Chair, Commission on Judicial Dept. Education, 1999-2001, 2005-Present. Appellate Judicial Commission for the Missouri Nonpartisan Court Plan: Chair, 2001-2003. State Historical Society of Missouri: Board of Trustees, 2005-Present; First Vice President, 2007-Present. Life Regent, National Eagle Scout Association. Political Advocacy and Legislative Achievement Award, Adoption and Foster Care Coalition of Missouri, 2001. Distinguished Alumnus Award for Judicial Service, SMU Dedman School of Law, 2007.

ABA Rating: Unanimous "Well Qualified."

Mr. WARNER. Mr. President, I rise today in support of an outstanding Virginian, the Honorable Mark S. Davis, who has been nominated by the President to serve as an article III judge on the U.S. District Court for the Eastern District of Virginia. I am pleased to note that Judge Davis also enjoys the strong support of my colleague, Senator WEBB.

Judge Davis has been nominated to fill the seat that was vacated by Judge T. S. Ellis, III, who has served as an active judge in the Eastern District of Virginia for more than 19 years.

I have had the privilege of knowing Mark Davis for more than two decades. He worked as an intern in my office while attending the University of Virginia, and then later, in 1984, he began his professional career as a staff assistant in my office before he went to law school. After earning his J. D. from the Washington & Lee University School of Law in 1988, he served as a law clerk for the Honorable John MacKenzie on the U.S. District Court for the Eastern District of Virginia.

Subsequent to his clerkship, he entered private legal practice, as a litigation attorney on cases before both Federal and State courts in several areas, including tort, maritime, and municipal and employment law. In 2003, the Virginia General Assembly unanimously confirmed him to serve as a judge on the Third Judicial Circuit of Virginia in Portsmouth, VA; today, he serves as chief judge of this five-judge circuit.

In my view, Judge Davis is eminently qualified to serve on the U.S. District Court for the Eastern District of Virginia. In addition to having the support of his home state Senators, he also received the highest recommendation of the Virginia State bar and the American Bar Association.

I thank the Judiciary Committee for favorably reporting this exemplary nominee to the full Senate, and I urge my colleagues to vote to confirm him.

Mr. WEBB. Mr. President, today it is my distinct pleasure to offer my support along with my colleague Senator WARNER for the nomination of Judge Mark Davis to be a judge on the U.S. District Court for the Eastern District of Virginia.

The career of this nominee is impressive. Judge Davis is regarded as a patient, thoughtful individual who exhibits the highest degree of ethical conduct and professionalism. After graduating law school, Judge Davis began his legal career as a law clerk to Judge John A. MacKenzie who served as judge on the U.S. District Court for the Eastern District of Virginia, 1988-1989. In 1989, Judge Davis joined McGuire Woods, LLP, where he worked as a partner from 1996 until 1998. Judge Davis has also worked as partner at Carr & Porter LLC, 1998-2003. Since 2003, Judge Davis has served on the Third Judicial Circuit of Virginia, and has been the chief judge since 2006.

The Virginia Bar Association rated Judge Davis as "highly qualified." Judge Davis's written opinions reflect his keen intellect, and the extent to which he values communicating his reasoning to counsel and litigants. Further, Judge Davis is active in myriad community and civic organizations. Judge Davis received his B.A. in government from the University of Virginia in 1984, and his J.D. from Washington and Lee University School of Law in 1988.

The Constitution assigns a critically important role to the Senate in the advice and consent process related to

nominations for the Federal judiciary. These judgeships are lifetime appointments, and Virginians expect me and Senator WARNER to take very seriously our constitutional duties. It is essential that the nominee be respectful of the Constitution, impartial, and balanced toward those appearing before him or her.

In light of these criteria, Senator WARNER and I undertook a careful and deliberative process to find the most qualified judicial nominees. Our collaboration involved a thorough records review and rigorous interviews. We are of the opinion that Judge Davis meets these high standards. He was on the joint list of recommended judicial nominees submitted to President Bush last year. We are pleased that President Bush has chosen to respect our diligent bipartisan work.

I want to thank you, Mr. President, for the opportunity to make these remarks about this outstanding Virginian. In particular, I want to express my gratitude for the expeditious way the Senate has moved the nomination of Judge Davis through the process during the 110th Congress. Again, it is with pride that I join Senator WARNER in commending Judge Mark Davis to each of my colleagues in the Senate; and I ask my fellow Senators to vote to confirm his nomination to the U.S. District Court for the Eastern District of Virginia.

Mr. SPECTER. Mr. President, I wish to use the balance of my time to talk about the procedures on the Energy bill.

I spoke yesterday about the problem created by the so-called procedure of filling the tree. It is my hope that we will return to the Energy bill and we will have an opportunity to offer amendments on the bill—the global warming bill, I should specify. Last week, I filed a series of amendments, and I hope we will return to the bill and will not have the procedure of filling the tree thwart the opportunity for Senators to offer amendments.

As I spoke at some length yesterday, we have devolved in this body into a procedure where the trademark of the Senate—that is, where a Senator is able to offer virtually any amendment on any matter at any time—has been undercut. This has been a practice which has been growing but was used not at all in bygone years. Senator Mitchell then used it 9 times, Senator Lott matched him with 9, Senator Frist matched him with 9, and Senator REID has now used it 12 times.

Regrettably, when the tree is filled—an arcane practice not understood very broadly—and then cloture is not invoked, people think that Republicans are opposed to considering global warming. The fact is that some 32 Republicans voted for cloture on the motion to proceed. So it is my hope we will have an opportunity to debate this very important subject and that there will be procedural steps taken so amendments can be offered. The tradi-

tion of the Senate in the past has been to have legislation offered, to debate, and if people are opposed, to filibuster, and to have the issues considered. But we have found in modern days that bills involving very important matters, such as the Ledbetter Fair Pay Act, Senate bill 1843, got very short shrift indeed. So it is my hope we will change the procedures.

I filed a resolution with the Rules Committee in February of 2007 to have a change in the rules, but in the interim I hope we can alter our procedures to take up these very important amendments.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the nomination.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be.

The yeas and nays are ordered.

Mr. LEAHY. Mr. President, today the Senate will confirm three more nominations for lifetime appointments to the Federal bench.

The first nomination we consider is that of MARK DAVIS of Virginia to fill a vacancy in the Eastern District of Virginia, and I commend the Virginia Senators on this nomination. After years of controversial nominations, Senators WARNER and WEBB have worked successfully with the White House on a series of recent nominations for district and circuit court seats, including that of Judge G. Steven Agee of Virginia, who was confirmed to a seat on the Fourth Circuit last month.

I was pleased to accommodate Senator BOND's request that we proceed promptly in committee to consider the nominations of David Kays and Stephen Limbaugh to vacancies in the Western and Eastern Districts of Missouri. Both nominees have the support of Senator McCASKILL. I wish Justice Ronnie White, who went on to become Missouri's first African-American chief justice, had received similar consideration when President Clinton nominated him to the Eastern District of Missouri. Instead, more than 2 years after he was nominated, and 2½ months after he was reported out of the Judiciary Committee for a second time, his nomination was voted down on a party line vote, not a single Republican Senator voting to confirm him. I also recall many of President Clinton's judicial nominees who were stalled because of anonymous Republican objections to their politics or their practice area. One of the two nominees from Missouri that we consider today is Rush Limbaugh's cousin. A similar lineage would have resulted in a pocket filibuster when the Senate was controlled by a Republican majority during the Clinton administration. So today, in contrast to the treatment of President Clinton's nominees, we proceed to consider these two nominations.

I noted last week the sudden concern of the minority leader for district court nominations. Perhaps he did not have a chance to see my statement from earlier in the week in which I noted that with Republican cooperation, we have the opportunity this work period confirm five nominees already reported favorably by the Judiciary Committee? Of course, today we would have more than those five nominations on the Senate's Executive Calendar had Republicans not stalled this President's nominations of Judge Helene White and Ray Kethledge to the Sixth Circuit, and the nomination of Stephen Murphy to the Eastern District of Michigan. As I said last week, with cooperation from across the aisle, the Senate is poised to have confirmed four circuit court judges and 11 district court judges before the Fourth of July recess, confirming a total of 15 lifetime appointments.

I recall Senator SPECTER's frustration when he was chairman with a Republican majority at the end of the last Congress, and Republican holds prevented the confirmation of 14 district court nominations. Democrats on the Judiciary Committee had worked hard to expedite the nominations at the end of the last Congress. Many of them were for vacancies deemed judicial emergencies, including three in one Federal district in Michigan where several judges of senior status—one over 90 years old—continued to carry heavy caseloads to ensure that justice was administered in that district. Now, after the successful efforts of the Senators from Michigan in conjunction with the White House, I hope Republicans will not object to filling three more judicial emergency vacancies in Michigan.

The complaints by the minority leader and his party about district court nominations ring as hollow as their complaints that Senate Democrats did not make best efforts to meet the goal he and the majority leader set of moving three circuit court nominations by Memorial Day. As at the end of the last Congress with those 14 district court nominations, Republicans resisted expediting the committee's consideration of the Michigan nominations before Memorial Day. They badgered the nominees, and sent scores of written follow up questions. At the May 7 hearing, the Republicans chose to complain that the committee was moving too fast, before the committee had received updated ABA ratings on the nominations. They pressed Judge White with scores of questions, failing to pose those same questions to Mr. Kethledge, a candidate for the same circuit. They demanded an extremely rare closed hearing to further question Judge White. Given their actions and their resistance to the White House's package of nominations—nominations made by this President—they made it impossible for the Committee to consider and report the Michigan nominations before the Memorial Day recess.

We have now received the updated ABA rating for Judge White's nomination. She received a well qualified rating. That did not come as any surprise. She has served ably on the Michigan state appellate courts and acquired additional experience in the decade since she was nominated by President Clinton and the Republican Senate majority refused to consider her nomination.

Ultimately, the Republican-led Senate left open five vacancies on the Fourth Circuit and four on the Sixth Circuit. With the Agee confirmation last month, we have already reduced vacancies on the Fourth Circuit to less than there were at the end of the Clinton administration, when a Republican-controlled Senate had refused to consider any nominees to that circuit during the last 2 years of the Clinton Presidency. If Republicans cooperate in considering the Michigan nominees, we will have filled every vacancy in the Sixth Circuit. Overall, when Republicans ran the Senate and were stalling consideration of President Clinton's nominees, circuit vacancies rose from 11 to 26, and it reached 32 during the transition to President Bush. We are in position to reduce circuit vacancies by three-quarters, to an historic low.

In contrast to the Republican Senate majority that used the Clinton years to more than double circuit court vacancies around the country, the Senate has already reduced circuit court vacancies by almost two-thirds. We are poised to complete Senate consideration of the two Sixth Circuit nominations. If the Republican minority allows that progress, yet another circuit will be without any vacancies. In fact, we would reduce the total number of circuit court vacancies across the Nation to single digits for the first time in decades.

If instead we focus on the controversial nominations as the Republicans want, we run the risk of embroiling the committee and the Senate in months of debate, foreclosing the opportunity to make progress where we can. We saw what happened with our last contentious nomination—that of Leslie Southwick. It took 5½ months from the time of the hearing to his confirmation.

The minority leader and the Wall Street Journal continue to point to the confirmation of 15 circuit judges in 1999 and 2000. Sometimes, the number is 17. Of course, their mythical “statistical average” of selected years ignores the crises the Republicans had created by not considering circuit nominees in 1996, 1997 and 1998, the fact that they refused to confirm a single circuit nominee during the entire 1996 session, the fact that they returned 17 circuit court nominees without action to the White House in 2000, the public criticism of Chief Justice Rehnquist that helped moderate their stalling and the fact that they more than doubled circuit court vacancies while pocket filibustering Clinton nominees.

The minority leader only reaches this mythical statistical by taking ad-

vantage of the high confirmation numbers of Democratic-led Senates confirming the nominees of President Reagan and the first President Bush. They ignore their own record of doubling vacancies during the Clinton administration. They do not like to recall that during the 1996 session, when a Republican majority controlled the Senate during a Presidential election year, they refused to confirm any circuit court judges at all—not one. Their practice of pocket filibustering President Clinton's judicial nominees led Chief Justice Rehnquist, hardly a Democratic partisan, to criticize them publicly. Even he was appalled by the actions of the Republican Senate majority. In his 1996 Year-End Report on the Federal Judiciary, he wrote:

Because the number of judges confirmed in 1996 was low in comparison to the number confirmed in preceding years, the vacancy rate is beginning to climb. When the 104th Congress adjourned in 1996, 17 new judges had been appointed and 28 nominations had not been acted upon. Fortunately, a dependable corps of senior judges contributes significantly to easing the impact of unfilled judgeships. It is hoped that the Administration and Congress will continue to recognize that filling judicial vacancies is crucial to the fair and effective administration of justice.

When that shot across the bow did not lead the Republican Senate majority to reverse course, Chief Justice Rehnquist spoke up, again, in his 1997 Year-End Report on the Federal Judiciary. It was a salvo from a Republican Chief Justice critical of the Republican Senate leadership:

Currently, 82 of the 846 Article III judicial offices in the Federal Judiciary—almost one out of every ten—are vacant. Twenty-six of the vacancies have been in existence for 18 months or longer and on that basis constitute what are called “judicial emergencies.” In the Court of Appeals for the Ninth Circuit, the percentage of vacancies is particularly troubling, with over one-third of its seats empty.

Judicial vacancies can contribute to a backlog of cases, undue delays in civil cases, and stopgap measures to shift judicial personnel where they are most needed. Vacancies cannot remain at such high levels indefinitely without eroding the quality of justice that traditionally has been associated with the Federal Judiciary. Fortunately for the Judiciary, a dependable corps of senior judges has contributed significantly to easing the impact of unfilled judgeships.

It was only after the scorching criticism by a Republican Chief Justice that the Republican Senate majority modified its approach in order to allow some of the nominations that had been held back for years to finally proceed. Having built up scores of vacancies, some were allowed to be filled while the Republican Senate majority carefully kept vacant circuit court positions to be filled by President Clinton's successor. It is in that context that Republican claims of magnanimity must be seen for what it was. It is in that context that the eight circuit confirmations in 2000 must be evaluated while the Republican Senate majority returned 17 circuit nominations to President Clinton at the end of that session without action.

In stark contrast, the Democratic Senate majority has worked steadily and steadfastly to lower vacancies and make progress, and we have.

I have placed the two Michigan Sixth Circuit nominations on the agenda for the committee's business meeting this week. With cooperation from the Republicans, we can consider and vote on these nominations at that time. That should provide the Senate with the opportunity to consider them before the Fourth of July recess, bringing to four the number of circuit court nominees confirmed this year. Four would meet the Republican average for 1996 and 2000, and beat their total in the 1996 session by four.

The history is clear. On June 1, 2000, when a Republican Senate majority was considering the judicial nominees of a Democratic President in a Presidential election year, there were 66 judicial vacancies. Twenty were circuit court vacancies, and 46 were district court vacancies. Those vacancies were the result of years of Republican pocket filibusters of judicial nominations. This year, by comparison there are just 47 total vacancies with only 11 circuit vacancies and 36 district court vacancies. After today, there will be just 44 total vacancies. If we can continue to make progress this month, the current vacancies could be reduced to fewer than 40, with only 9 circuit court vacancies and 30 district court vacancies.

When Republicans were busy pocket filibustering Clinton nominees, Federal judicial vacancies grew to more than 100, with more than 30 circuit vacancies.

When I became Chairman in the summer of 2001, we quickly—and dramatically—lowered vacancies. The 100 nominations we confirmed in only 17 months, while working with a most uncooperative White House, reduced vacancies by 45 percent.

After the four intervening years of a Republican Senate majority, vacancies remained about level.

It is the Democratic Senate majority that has again worked hard to lower them in this Congress. We have gone from more than 110 vacancies to less than 50 and are heading to less than 40. With respect to Federal circuit court vacancies, we have reversed course from the days during which the Republican Senate majority more than doubled circuit vacancies. It bears repeating—circuit vacancies have been reduced by almost two-thirds and have not been this low since 1996, when the Republican tactics to slow judicial confirmations began in earnest.

Consider for a moment the numbers: After another productive month, just 9 of the 178 authorized circuit court judgeships will remain vacant—just 9—a vacancy rate down from 18 percent to just 5 percent. With 168 active appellate judges and 104 senior status judges serving on the Federal Courts of Appeals, there are 272 circuit court judges. I expect that is the most in our history.

The President has not nominated anyone to 16 of the current judicial vacancies. He has refused since 2004 to work with the California Senators on a successor to Judge Trott on the Ninth Circuit. The district court vacancies without nominees span from those that arose in Mississippi and Michigan in 2006, to several from 2007 in Pennsylvania, Michigan, Indiana and the District of Columbia, to others that arose earlier this year in Kansas, Virginia, Washington, and several in Colorado and Pennsylvania.

Disputes over a handful of controversial judicial nominations have wasted valuable time that could be spent on the real priorities of every American. I have sought, instead, to make progress where we can. The result is the significant reduction in judicial vacancies.

In fact, our work has led to a reduction in vacancies in nearly every circuit. Both the Second and Fifth Circuits had circuit-wide emergencies due to the multiple simultaneous vacancies during the Clinton years with Republicans in control of the Senate. Both the Second Circuit and the Fifth Circuit now are without a single vacancy. We have already succeeded in lowering vacancies in the Second Circuit, the Fourth Circuit, the Fifth Circuit, the Sixth Circuit, the Eighth Circuit, the Ninth Circuit, the Tenth Circuit, the Eleventh Circuit, the DC Circuit, and the Federal Circuit. Circuits with no current vacancies include the Seventh Circuit, the Eighth Circuit, the Tenth Circuit, the Eleventh Circuit and the Federal Circuit. When we are allowed to proceed with President Bush's nominations of Judge White and Ray Kethledge to the Sixth Circuit, it will join that list of Federal circuits without a single vacancy.

My approach has been consistent throughout my chairmanships during the Bush Presidency. The results have been positive. Last year, the Judiciary Committee favorably reported 40 judicial nominations to the Senate and all 40 were confirmed. That was more than had been confirmed in any of the three preceding years when a Republican chairman and Republican Senate majority managed the process.

Despite this progress, of course, some partisans seem determined to provoke an election year fight over nominations. The press accounts are filled with threats of Republican reprisals. The May 14 issue of *Roll Call* boasted the following headline: "GOP Itching for Fight Over Judges; Reid's Pledge to Move Three Before Recess Fails to Appease Minority." Then in a recent article in *The Washington Times*, we read that the Republican fixation on judges is part of an effort to bolster Senator McCain's standing among conservatives. There seem to be no steps we could take to satisfy Senate Republicans on nominations, because they are using it as a partisan issue to rev up their partisan political base.

The Republican effort to create an issue over judicial confirmations is

so sorely misplaced. Last month we experienced the greatest rise in unemployment in a single month in over two decades, bringing the total job losses for the first 5 consecutive months of this year to over 325,000. Americans are now facing increasing burdens from the soaring price of gas, high food prices, rising unemployment and a home mortgage foreclosure and credit crisis.

This year we have seen the worst plunge in new homes sales in two decades. The press reported that new home sales fell 8.5 percent in March, the slowest sales pace since October 1991, and the median price of a home sold dropped 13.3 percent compared to the previous year. That was the biggest year-over-year price decline in four decades. You would have to go back to July 1970 to find a larger decline.

Unfortunately, this bad economic news for hard-working Americans is nothing new under the Bush administration. During the Bush administration, unemployment is up more than 20 percent and trillions of dollars in budget surplus have been turned into trillions of dollars of debt, with an annual budget deficit of hundreds of millions of dollars. Last week, the price of oil soared to nearly \$139 a barrel, nearly twice what it was at this time last year. When President Bush took office, the price of gas was \$1.42 a gallon. Today, it is at an all-time high of over \$4.00 a gallon.

According to a recent poll, 81 percent of Americans today believe that our country is headed in the wrong direction. It costs more than \$1 billion a day—\$1 billion a day—just to pay down the interest on the national debt and the massive costs generated by the disastrous war in Iraq. That's \$365 billion this year that would be better spent on priorities like health care for all Americans, better schools, fighting crime, and treating diseases at home and abroad.

In contrast, one of the few numbers actually going down as the President winds down his tenure is that of judicial vacancies. Senate Democrats have worked hard to make progress on judicial nominations, lowering circuit court vacancies by almost two-thirds from the level to which the Republican Senate majority had built them. Any effort to turn attention from the real issues facing Americans to win political points with judicial nominations is neither prudent, nor productive.

Today we confirm three nominations for lifetime appointments. The first, Mark S. Davis, currently serves as Chief Judge of the Portsmouth Circuit Court, Third Judicial Circuit of Virginia. Prior to his appointment to the bench in 2003, Judge Davis worked in private practice at several Virginia law firms.

David Gregory Kays currently serves as the presiding circuit court judge for the Twenty-Sixth Judicial Circuit for the State of Missouri, where he has served since his first election in 2005. Previously, Judge Kays served as an

associate circuit judge for Laclede County Circuit Court in Missouri and as chief assistant prosecuting attorney in Laclede County.

Stephen N. Limbaugh is a supreme court judge and former chief justice on the Supreme Court of Missouri. Previously, Judge Limbaugh was appointed and then elected Circuit Judge for the 32nd Judicial Circuit of Missouri. Before his career on the State bench, Judge Limbaugh was an elected prosecuting attorney and also worked in private practice.

So today we make progress, and the Senate is likely to confirm three additional lifetime appointments to the Federal bench. I congratulate the nominees and their families on their confirmation today.

Mr. President, how much time remains on either side?

The ACTING PRESIDENT pro tempore. Two minutes twenty seconds for the Senator from Virginia, and 33 seconds to the Senator from Pennsylvania.

Mr. LEAHY. Mr. President, I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I ask unanimous consent to yield 1 minute to the Senator from Virginia.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I was very privileged to submit the name of Mr. DAVIS to the President of the United States, and I am greatly appreciative to the Senate to now come to the question of his confirmation. But I think it would be interesting if I were to point out to all those following it that this individual was a former member of my staff.

I think it shows the incentive of those many staff persons all throughout our system who contribute so much to the work of our individual Senators that they too can, through their service, lay the foundation to someday achieve this recognition by the Senate in which they worked.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. LEAHY. I yield to Senator WEBB on my time, Mr. President.

Mr. WEBB. Mr. President, I very quickly wish to associate myself with the remarks of the senior Senator from Virginia and to emphasize that we jointly examined a whole array of nominees for this position. This individual, perhaps because of and perhaps in spite of the fact he worked for the senior Senator from Virginia, is considered highly qualified by Members on this side of the aisle.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I would commend one more time the two Senators from Virginia, both dear friends of mine, for the fact we worked as one

Democrat, one Republican with the White House to get us past this impasse. And I commend President Bush for withdrawing controversial nominees and working toward consensus nominees. That is why this nominee will go through, I suspect unanimously, in this body.

I also commend the two Senators from Missouri, Senators BOND and McCASKILL, for working together.

Has all time been yielded back?

The ACTING PRESIDENT pro tempore. Yes, it has.

The question is, Will the Senate advise and consent to the nomination of Mark Steven Davis, of Virginia, to be a United States district judge for the Eastern District of Virginia?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from New York (Mrs. CLINTON), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Arizona (Mr. MCCAIN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 148 Leg.]

YEAS—94

Akaka	Domenici	Mikulski
Alexander	Dorgan	Murkowski
Allard	Durbin	Murray
Barrasso	Ensign	Nelson (FL)
Baucus	Enzi	Nelson (NE)
Bayh	Feingold	Pryor
Bennett	Feinstein	Reed
Biden	Grassley	Reid
Bingaman	Gregg	Roberts
Bond	Hagel	Rockefeller
Boxer	Harkin	Salazar
Brown	Hatch	Sanders
Brownback	Hutchison	Schumer
Bunning	Inhofe	Sessions
Burr	Inouye	Shelby
Cantwell	Isakson	Smith
Cardin	Johnson	Snowe
Carper	Kerry	Specter
Casey	Klobuchar	Stabenow
Chambliss	Kohl	Stevens
Coburn	Kyl	Sununu
Cochran	Landrieu	Tester
Coleman	Lautenberg	Thune
Collins	Leahy	Vitter
Conrad	Levin	Voinovich
Corker	Lieberman	Warner
Cornyn	Lincoln	Webb
Craig	Lugar	Whitehouse
Crapo	Martinez	Wicker
DeMint	McCaskill	Wyden
Dodd	McConnell	
Dole	Menendez	

NOT VOTING—6

Byrd	Graham	McCain
Clinton	Kennedy	Obama

The nomination was confirmed.

NOMINATION OF DAVID GREGORY KAYS TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI

NOMINATION OF STEPHEN N. LIMBAUGH, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI

The ACTING PRESIDENT pro tempore. The clerk will report the remaining nominations en bloc.

The legislative clerk read the nominations of David Gregory Kays, of Missouri, to be United States District Judge for the Western District of Missouri; Stephen N. Limbaugh, Jr., of Missouri, to be United States District Judge for the Eastern District of Missouri.

VOTE ON NOMINATION OF DAVID GREGORY KAYS

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the nomination of David Gregory Kays, of Missouri, to be U.S. district judge for the Western District of Missouri?

The nomination was confirmed.

VOTE ON NOMINATION OF STEPHEN N. LIMBAUGH, JR.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the nomination of Stephen N. Limbaugh, Jr., to be U.S. district judge for the Eastern District of Missouri?

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. Under the previous order, the motions to reconsider are considered made and laid upon the table.

The President will immediately be notified of the Senate's action.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate will now resume legislative session.

RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. CARPER).

CONSUMER-FIRST ENERGY ACT OF 2008—MOTION TO PROCEED—Continued

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT REQUEST—AUTHORITY FOR COMMITTEE TO MEET

Mr. REID. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during this session of the Senate.

Mr. COCHRAN. Mr. President, on behalf of the Republican leader, I object. The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I understand the objection of my good friend from Mississippi. He was not objecting on his own but for someone else.

The hearing we were going to conduct was a hearing entitled "Coercive Interrogation Techniques: Do They Work, Are They Reliable, and What Did the FBI Know About Them?"

This morning, Senator FEINSTEIN, as chair of the subcommittee, began chairing a very important hearing on interrogation tactics. The hearing featured a report by the Department of Justice inspector general on tactics at Guantanamo that amounted to torture. The hearing was interrupted by three floor votes, and the chair recessed the hearing until 2 p.m.

As you know, we have our weekly caucuses starting at 12:30. But now the minority is objecting to the committee meeting by invoking the 2-hour rule. What this means is that 2 hours after we come into session, there has to be consent to conduct hearings; otherwise, you have to do them during the first 2 hours we are in session. It is very rare there is an objection, but there is today. So I have no alternative but to recess the Senate this afternoon to allow the hearing to continue.

The Republicans may not want these abuses to come to light, but I think the American people have a right to know. This is part of a pattern of obstructionism by my friends on the Republican side.

I want the Senate to debate a bill to reduce gas prices and I want the Senate to debate a bill to extend tax credits for renewable energy, and now they do not want the Judiciary Committee to hold a hearing about coercive interrogation tactics. They can try to use Senate rules to silence these debates, but I will use the rules at this time to allow the Judiciary Committee to continue the hearing. As soon as the hearing is over, we are going to be out here to talk about gas prices.

I would hope this is framed with a picture that there is a Presidential election going on. We have one Presidential candidate who wants to do something about these high gas prices, wants to do something about the bill to extend tax credits for renewable energy, and we have another candidate who is opposed to this. We know who that candidate is: it is the Senator from the State of Arizona. And I would think that my friend, the Senator from Arizona, who is the Republican nominee, would be concerned about this delaying tactic not to allow the Judiciary Committee to hold a hearing on torture. That is what it amounts to.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. So, Mr. President, I ask unanimous consent that the Senate be in recess subject to the call of the Chair.

There being no objection, the Senate, at 2:19 p.m., recessed subject to the call of the Chair and reassembled at 3:33 p.m. when called to order by the Presiding Officer (Mr. SANDERS).

CONSUMER-FIRST ENERGY ACT OF 2008—MOTION TO PROCEED—Continued

Mrs. LINCOLN. Mr. President, I ask unanimous consent that the debate time on the motion to proceed to S. 3044 be divided in blocks of 30 minutes for the next 2 hours, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes, and so on; that at the expiration of the 2 hours debate time be limited to 10 minutes each.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

RENEWABLE ENERGY AND JOBS CREATION ACT

Mrs. LINCOLN. Mr. President, I rise today to lend my strong support to the Renewable Energy and Jobs Creation Act. I wish to applaud the incredibly hard work that was put into this package by the Finance Committee and particularly Chairman BAUCUS. I also wish to congratulate our counterparts in the House Ways and Means Committee for their efforts in putting together this important piece of legislation.

I am so very disappointed—as we tried early this morning—that our friends on the other side of the aisle chose to block progress on this bill. It would have provided much needed tax relief to individual taxpayers and to businesses alike. I don't know about other Senators, but when I travel home people look to me and say: What are you doing to help us with this economy? We are paying \$4 a gallon for gasoline to get to our jobs, to get to school, to get to all of the things we need to tend to. We are concerned about the jobs we have lost in our State. We are concerned about the increase in unemployment. We have to do something about this economy. We have to do something about stimulating the economy of our country to grow on behalf of all of the millions of Americans out there who need us to help them.

This bill on which we were trying to proceed this morning could have done just that. It could have provided just the stimulus we needed to jump-start our economy. It would have been a good start. I think it is particularly frustrating not to be able to move on it in light of all of our current economic downturns. Taxpayers need this relief and they need it right now. We need to provide them every opportunity to keep this economy turning.

One of the things I think that comes from our businesses and individuals

across my State—and certainly across this country—is the concern of the unknown. We try to create in our Tax Code the types of incentives that will incentivize different cultural activities, such as the purchasing of a home and home ownership, but we also want to incentivize businesses to be able to grow and be competitive. If they don't know they are going to have that same tax treatment for more than 6 months, or in 6 months it is going to expire, how are they going to be able to make the reasonable business decisions to take the capital, which right now is very hard to come by, and invest in certain areas of their industry, to grow those jobs, and to grow those businesses that are out there in this great country?

This package would have done just that. It provides businesses that make investments in research and development with a tax credit. We are falling behind every year. Other countries across the globe are working hard to provide the kind of research and development they need to move into new industries for multiple reasons: job creation, obviously, as well as our environment. Look at nations, such as Brazil, which have lessened their dependence on foreign oil from 80 percent to 11 percent. They have invested in research. They have invested in developing renewable fuels. We have to do that too. This is the bill that would have started us moving on that pathway to investing in companies that cannot only provide us the good types of industries that would help us clean our environment but would have created the jobs that would have made the difference.

It also encourages infrastructure investment. One of the ways it does that is through the extension of the short-line rail credit which provides an incentive for the maintenance and expansion of our short line rail systems. When you come from a rural State as I do—we are very fortunate to have the major lines that come through our State to reach out to all of those small communities where we desperately need to create jobs—we need those short line rails that can connect to the major main line rails to take our goods and our services all across this great country into the ports that will take it to other countries with which we can compete. We need to give them the incentive to invest in themselves.

In talking to one of my short line rails, they said to me: You wouldn't believe the number of jobs we could create, the investment we could make, if we just simply knew that Congress was supporting us, that they are going to help us with that incentive we have had in the past and we want to continue.

The unknown is very frightening to businesses in this world we live in and in the economic times in which we are living. The margins right now are so slim, limiting their ability to compete with other modes of transportation,

but without a doubt they can provide a service to industries that are competing with industries across the globe.

This bill would have kept jobs at home through incentives to encourage domestic production of films, as one particular example. We are seeing our films being sent overseas and offshore because other countries are offering greater incentives. When you look at rural America, one of the strongest ways—and the quickest ways too—to see the investment and the revitalization of these small communities and their little downtown Main Streets is when somebody comes in to produce a film. They come in to produce a film, and they put a good picture on redoing that Main Street area. They bring in jobs; not only jobs with filmmaking, but they also come and eat in our cafes, and they use the shops and the other amenities that are there, keeping businesses at home.

But we can't do that if those film companies don't know that they are going to get good treatment, at least as good as they get in other countries. They have a bottom line to meet too. They take their film crews and all the dollars they are spending in making those films, and they go into other countries. We need to keep them at home. Those are good jobs for electricians and contractors, plumbers, and a whole host of other people.

I have a retired man at home, and they did a film—a made-for-TV movie—in my former Congressional District on the eastern side of my State, and he had two antique cars. You wouldn't have believed the difference it made in his life to be able to rent those two cars, those two antique cars to be featured in a vintage film and what it meant to his pocketbook as well.

The bill we have been trying to bring forward and were prevented this morning from bringing forward allows our financial services businesses to remain competitive globally through the extension of the subpart F exceptions for the active financing income. It provides access to capital to our communities that need it the most—our rural and low-income communities—through an extension of the new market tax credit, enabling our businesses to be viable overseas, and also making sure that the new and innovative businesses we want to see in our small and rural communities can actually happen, that they can be a part of this global community, and that they will have the same kind of advantages that other industries and other businesses in bigger parts of our Nation may have. All of these provisions provide a huge benefit to our American businesses and would most definitely help to stimulate our slowing economy.

In addition, the bill we were trying to bring up this morning provides very important relief for individual taxpayers. It includes tax cuts for college students, their families, and our teachers. With twin boys who are finishing

the sixth grade and starting the seventh grade, right now in my mind I have a tremendous appreciation for our teachers and what they give day in and day out, being able to offer them the opportunity of a Tax Code that is going to reward them for this incredible job they do.

I ask my colleagues—just as was my experience in the public schools of Arkansas—to look back and think of those wonderful teachers who have affected their lives. There are great teachers out there right now, and they need us because it is an institution and a business that, unfortunately, we are not seeing enough. We are hitting a brick wall. We are seeing more teachers who are retiring than we are seeing new teachers. What a great way for us in this country to show how much we believe in those teachers.

It includes an incentive for our senior citizens who want to take part in charitable giving. That is the IRA rollover. Every week I get a call in my office from the same gentleman. He took advantage of the IRA rollover to be able to give to his church. Every Sunday morning he goes to his Sunday school and talks to the people in his Sunday school class about this great opportunity of being able to give through these IRA rollovers. Well, all of his friends in his Sunday school class want to know if this is going to be the law. Can we do this? Should we do this? Is this something that is going to continue?

We can't even tell them that. We are being held back from doing so many productive things that would encourage not only individual involvement in being able to generate our economy and put the emphasis back on our economy from individuals, but also our businesses who need our help.

The bill also includes an AMT patch to ensure more middle-income taxpayers aren't going to be hit by the AMT this year.

It also has tremendous incentives for green jobs that we can grow in this country and looking at renewable fuels and all the many things we can do with those renewable fuels but also things such as wind—and we have had tremendous tornadoes in Arkansas—and wind mills, and energy from wind is not something we are really noted for doing. Our topography is not necessarily meant for that, like some other States. But we produce the blades for the windmills. That is hundreds of jobs in my State. Let me tell you, do you think those industries are going to want to continue to make the capital investment in the manufacturing of something that may or may not be used, because those other industries that are building and making that energy from wind don't know if they can depend on the tax credit—a tax incentive in the code that encourages the behavior of moving to a renewable energy source?

Mr. President, we have to move forward. We cannot keep standing here

fighting and bickering over whether we are going to proceed to talk about these things. We have to move forward and talk about them.

Most important is an issue I have worked on for years which includes a provision very near and dear to my heart, and that is a patch to the refundable child tax credit, to ensure that thousands of hard-working low-income families aren't locked out of this credit. I wish to take a few minutes to explain the child tax credit provision, which I have worked on with my good friend and colleague, Olympia Snowe.

As some colleagues may be aware, to be eligible for the refundable child tax credit, working families must meet an income threshold. If they don't earn enough, they don't qualify for the credit. The problem is, some of our working parents are working full time, but they still don't earn enough to meet the current income threshold to qualify for this tax credit, much less to receive a meaningful refund from it.

When first enacted, the income threshold for the refundable child tax credit was set at \$10,000. The threshold is indexed for inflation and thus has increased every year. For 2008, it is going to be \$12,050. Unfortunately, as many of us are aware, wages are not increasing at that same pace. For example, a single mother who earns the current minimum wage and works a 35-hour-a-week job, 50 weeks out of the year, fails to qualify for the refundable portion of the child tax credit. Even after the minimum wage increases next month, that mother still will not meet the income threshold.

That is what we want to encourage. We want to encourage people to work, to be able to change the cycle of poverty that exists for welfare today. We want to make sure individuals are encouraged to go to work, so that they can still take care of their children. Our children are our greatest resource. Why would parents who want to care for their kids not want to incentivize that.

It is absolutely wrong to provide this credit to some hard-working Americans while leaving others behind. The single working parent who is stocking shelves in a local grocery store is every bit as deserving as the teacher, accountant, or insurance salesman who qualifies for the credit in its current form. It is imperative that we address this inequity, and we must ensure our Tax Code works for all Americans, especially those working parents who are forced to get by on minimum wage.

I am extremely frustrated that our friends across the aisle chose to block action on this bill. I hope that we will look at the important value in all of these pieces of this legislation, and that we will come back again and go back to the drawing board and figure out how we can make this bill a reality.

Again, I applaud our committee chairman for putting this package to-

gether and trying to move it through the Senate in a timely fashion. There is absolutely no reason we should not see this package. It is a commonsense package. It makes sense for everybody concerned. We owe it to our American businesses that are trying to remain competitive. We owe it to our teachers, students, and the families paying college tuition. We owe it to our communities that are desperately in need of infrastructure and jobs. We owe it to our working families with children. No one should stand in the way of this package that truly will bring relief to so many Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CASEY. Mr. President, I wish to speak today—as many of us have been doing—not just about the high price of gasoline but all of the pressures on American families that come with that. When I say “families,” I mean in the broadest sense of the word. The Presiding Officer has advocated on behalf of people who are suffering under the weight of high gasoline prices. He has been an articulate and forceful advocate for action. We are finally at the point where we are at least debating the action we should be taking.

I wanted to talk about prices. When the average American family goes to the grocery store or they go to fill up their tank or they try to pay for college or health care—just fill in the blank—it seems as if everything in their lives is going up when their wages are flattening out or sometimes actually going down. The price of everything is going through the roof, and at the same time we have record job losses. I don't know the exact number to date, but we have had tens of thousands every month, month after month after month. Some believe the most recent monthly job loss number is a record. But even if it is not a record or if we are off by a couple thousand, it is still far too high.

In Pennsylvania, this is not just a problem in inner cities where a lot of people's incomes are low; this is a problem across a State such as Pennsylvania. We have a State that has some large cities and bigger communities population-wise, but we have a very rural State. We have millions of people in Pennsylvania who live in so-called rural areas by the demographics. They have to travel great distances to get to the grocery store or to make transactions for business or to get their families to where they have to go. So gas prices, in some ways, disproportionately adversely affect those who live in rural areas or in small towns.

In Pennsylvania, we have—more than maybe any other State and sometimes as many States as you can talk about combined—a lot of two-lane roads. So the distance between one place and another isn't just the mileage but it is the roads you take. On a two-lane road, you cannot go as fast, and that adds to the difficulty and the reality of gas prices.

We also have a State that has a tremendous agricultural economy. All of those costs—the cost of energy and the cost of transportation and distribution—are going up for our farm families.

While all this is happening—and we know there are no easy solutions—we also see that, lo and behold, the big oil companies—in the last 5 years, the profits of the five largest oil companies—in 2002, the profits of the five largest oil companies was a measly \$29 billion. Last year, 2007, big oil had profits of \$124 billion. So it went from \$29 billion to \$124 billion in just 5 years. I think there are very few, if any, American families—especially middle and lower income families—who are under the weight of these costs I just talked about who have had their incomes go up three, four, or five times.

The reality is that big oil has gotten too much. Over and over again, their profits are going through the roof. This Government gave them tax breaks a couple of years ago to the tune of \$17 billion. So just at the time when their profits were taking off in a record way, this Government gave them, back in 2004 and 2005, \$17 billion in breaks. We have talked about taking away those breaks and allowing us as a government, as a family, to be able to say there is another part of the family over here that is hurting and we want to help them. I will do it very briefly in terms of our approach.

Basically, what Democrats have tried to do is to say: Look, we don't have to pretend we are helpless and sit back and say there is nothing we can do. We don't have a magic wand and there is no easy solution, but the idea of doing nothing and saying it is OK for oil companies to get these profits at a time when we could use that revenue for something else is ridiculous. Everybody out there knows it. They know, for example, that we can say we should have an excess profits tax. That makes sense. Now, if a big oil company comes in the door and says: You know what, we are going to do our best to reduce our country's dependence on foreign oil, we are going to be more efficient and put more into research and development and do the right thing for the American consumers, we are going to say: OK, then maybe your excess profits tax—the hit against an oil company—is not going to be as high. That is reasonable.

At the same time, a lot of people know that a high percentage of the increase in the price of a barrel of oil is from speculation by people on Wall Street who have money, power, influence, and the ability to get information like that and make a huge financial profit. We should crack down on speculation. We can do that. The Federal Government can do that. We should give the Federal Government the authority to do that. We should give the President—any President—the authority to crack down on price gouging.

So there is much we can do. Listening to the other side of the aisle, their solution is that we can drill our way out of that situation. Nobody believes that. There is no evidence that we can drill our way out of this. If anything, that keeps us dependent on oil—not just foreign oil.

I think this idea that we sit back and do nothing is really not worthy of a long argument. We have to end our addiction to oil. We have to take specific, targeted steps to not just reduce our dependence on foreign oil but to provide equity here for the American families.

I believe a lot of the solutions Democrats have talked about have been very practical—an excess profits tax, taking away those tremendous billions in breaks oil companies have had, and also getting tough on the speculators, the people making a lot of money in the market, is another very practical way. Democrats have offered a practical set of solutions. We are waiting for the other side to come up with their solution to the pressure felt by the American family.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, how much time remains?

THE PRESIDING OFFICER. There is 6½ minutes.

Mr. BINGAMAN. Mr. President, I am glad to come to the Senate floor and join my colleagues in talking about the unfortunate votes that were cast this morning—one to go ahead and consider legislation to try to deal with the price of gasoline. That was the first vote where, unfortunately, we rejected the effort to proceed to that bill. The majority of Republican Members chose not to proceed to that bill, which was unfortunate. The second vote was to proceed to a bill that has the effect of extending the provisions that are currently in the Tax Code and particularly to extend tax provisions that are intended to encourage clean energy development. I wish to talk about that second bill in particular because it is one I have been involved in and have followed and supported for some time now.

The incentives we have in current law to encourage alternative energy development—wind energy, wind energy farms, wind turbine farms, solar energy developments in this country—most of those incentives were put into place in the current form in 2005 when we passed the Energy bill. There was great fanfare and rejoicing when we passed that. The President signed that bill in my home State of New Mexico, in Albuquerque. He rightfully took credit for the fact that this was being enacted, and he talked about the importance of these energy tax provisions.

I did not realize when we did that in 2005 that it was the administration's intent to allow those tax provisions to expire at the end of 2008. I thought the

idea was that we would keep those in place long enough that we would provide incentives for people to pursue these alternative options.

We have now tried three times in this Congress to extend those energy tax provisions, and we have failed three times. So I rise to express deep disappointment and frustration with that vote. The implications of the vote are profound if we cannot persuade our colleagues to change their position. Clearly, if it is going to be our national policy that we are not extending these tax provisions, then we are going to suffer environmental consequences from continued reliance on power generated from fossil fuels; our efforts to reduce America's dependence on foreign oil will be cut short; our ability to create high-paying green jobs in these new energy sectors will come to nought; and our effort to promote research and development in these new industries will certainly not materialize. It is a sad day for us in the Senate; we are not able to move ahead and do this.

The first time this issue came up, the first time we tried to extend these tax provisions, the argument was that the offsets are the problem; you folks are trying to reduce the tax benefits enjoyed by the oil and gas industry in order to provide revenue to pay for these alternative energy tax provisions, and that is the objectionable part.

I did not agree with that argument. I voted to extend the alternative energy tax provisions and pay for it in that way, but I think the House of Representatives has heard that message and the House of Representatives has now sent us a bill, which is the bill we were trying to proceed to today, which does not try to pay for these extensions of alternative energy tax provisions by reducing tax benefits for the oil and gas industry. It leaves the oil and gas industry alone, and it finds some alternative ways to make up that lost revenue. The alternatives are ones which, to my mind, are very meritorious.

Of course, under our rules in the Senate that we have adopted in the Congress, we have to find a way to make up the revenue being lost. That is why we are pushing to do so, and it is the responsible thing to do. The alternative, of course, is to borrow more money from our friends overseas, to run up the deficit and let our grandchildren worry about it at some point down the road. That is not a responsible course.

One of the bill's offsets that we were trying to proceed to today would delay a tax benefit known as the worldwide interest allocation. That is a tax benefit that has not gone into effect. We would delay the effective date of it, again, for some period. There are a lot of corporations that have indicated to us they would support going ahead and delaying that benefit. This is not a tax increase from current law; this is keeping current law where it is.

The other offset would be to close a loophole that enables hedge fund managers to defer compensation by investing wages in offshore investment funds. This proposal would end that deferral, would require the hedge fund managers recognize the compensation that they receive as income when it is paid. This proposal does not increase taxes; it simply changes the timing of tax liabilities.

Describing this loophole, the New York Times says:

Many hedge fund managers are enjoying not only extraordinary profits, but the extra benefit of a system almost encouraging them to set up offshore accounts.

What we were trying to do in this legislation is to say let's not encourage them to set up offshore accounts by giving them tax incentives to do so. That is a reasonable position, and it is one that we should definitely be enacting into law. I know 44 Members of this Chamber voted "no" in our effort to proceed to consider this bill.

The PRESIDING OFFICER (Mrs. McCASKILL). The Senator's time has expired.

Mr. BINGAMAN. Madam President, I do not see additional colleagues here. I ask for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. I appreciate it. As I said, 44 Members of the Senate voted not to proceed to consider this bill and instead, I gather, to protect a handful of hedge fund managers from having to pay the normal tax that ought to be levied on each American when they get compensated.

Clearly, I think we have lost sight of our priorities. I know this is an election year. I know there are powerful special interests that are always saying just vote no, always resist whatever is proposed. The simple fact is, if we are going to turn the page, if we are going to turn the corner on our future energy needs, we are going to have to move ahead and put in place some policies that will encourage alternative energy development. We have fallen short in doing that now three times in this Congress. I hope we do not continue to fall short. I urge my colleagues to reconsider this, and I hope the majority leader will find a way to bring this issue back to the full Senate, even this week, if possible, so we can get a positive vote to proceed with this legislation.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENSIGN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENSIGN. Madam President, I rise today to warn the American people. There is a Trojan horse riding across our country and onto the Senate floor.

Its creators want everyone to believe that their climate tax proposal will clean the planet while causing minimum impact on our lives. They want us to believe that everyone will live happily ever after. However, this is not a legend or a fairy tale. Hiding inside this Trojan horse is a monster of a tax increase to pay for the largest expansion of the Federal Government since FDR's New Deal.

The nonpartisan Congressional Budget Office estimates that this proposal will cost the American taxpayer \$1.2 trillion dollars in taxes over just the first 10 years of this bill. And that tax bill is only expected to rise with time. With the hefty price tag and a huge expansion of bureaucracy, the legislation actually does very little, if anything, to improve the environment. The American people cannot afford to pay for this reckless attempt at energy policy. Instead, we should let American ingenuity lead the way toward exploration of American energy, expansion of renewable energy, and increased conservation.

This Climate Tax bill imposes a cap on greenhouse gas emissions that can be released into the environment by certain businesses, and this cap will gradually reduce every year until 2050. The bill creates allowances that gives companies the right to emit specific amounts of these greenhouse gases.

Some of the allowances will be distributed for free to various entities. The rest of the allowances will be auctioned to the highest bidder. These allowances can then be sold, traded, or transferred. The cost incurred by businesses to obtain these allowances will be passed on to consumers, hitting low-income households the hardest. But before we talk about the revenue windfall for the Government and about the people celebrating this legislation, let's discuss the victims.

First and foremost, this Climate Tax bill will cost our economy and our working families greatly. Restricting carbon dioxide emissions drives our energy supply down. Just as the bill hopes to do, the price of energy would increase. With gasoline prices already over 4 dollars a gallon and predicted to continue rising, we will all be hurting.

According to the EPA, this bill will increase the price of gas by at least 53 cents a gallon. 53 cents. In my home State of Nevada, this would translate currently into about \$4.68 a gallon at today's average price for regular gasoline. And gas prices aren't the only thing that will go up. Electricity bills will increase by 44 percent or more.

And the cost to our overall economy would be devastating. By 2030, the annual loss to the United States' gross domestic product could reach nearly a trillion dollars. The proposal is called America's Climate Security Act, but with millions of jobs being destroyed because of this bill, not many Americans are going to be feeling secure. Many of the jobs lost are going to be in the manufacturing and mining indus-

tries that support so many of our smaller and rural communities. These valuable jobs will be forced to move overseas to countries like China and India, where companies will continue to emit greenhouse gases freely and without constraint. In case you haven't noticed, we all occupy the same big greenhouse—the planet Earth. So Americans lose their jobs, but our air on our planet is still polluted.

In fact, this bill makes such a minor impact on the worldwide greenhouse gas emissions that any reduction in the United States is swallowed up by the uncontrolled and rapidly growing emissions of China, India, and other developing nations.

If emissions continue to increase in these countries, the problems resulting from the global warming predicted by many scientists may still occur.

It just does not make sense for us to dramatically restrict our greenhouse gas emissions if China and India do not do the same.

If this bill isn't good for our families, our economy, our workers or our environment, who is it good for? The special interests and Washington lobbyists. By auctioning off carbon emission allowances and giving away even more for free, there will be more than \$6 trillion dollars worth of allowances and offsets and funds to dole out to a hungry and a fierce pack of special interests. It's being called "environmental pork," and the wolves are going to be ready to pounce. Hundreds of billions of dollars of that pork won't even stay here in America. Instead, it will be given away to foreign governments and companies.

So do we stand by as the proponents trot around this plan that means new taxes, higher gas prices, higher electricity bills, and more bureaucracy? In fact, the only thing this proposal reduces are the jobs of hard-working Americans and our standard of living.

Now, don't get me wrong, we absolutely need comprehensive energy reform. Americans are hurting at the pump and their budgets are being busted by rising cooling and heating bills. As a Nation, we are too dependent on Middle Eastern oil—a resource that is too often in the hands of brutal dictatorships.

But as is often the case in our Nation's history, we must look forward to a policy that unleashes the innovative spirit of Americans, takes a common-sense approach to our challenges, and rallies everyone to the cause.

We do this by encouraging conservation, efficiency, and renewable energy expansion through incentives, not by imposing unworkable mandates and impossible timelines.

As we spend time debating this legislation today, crucial tax credits that encourage innovation in solar, geothermal, wind, hydropower, and other alternative energy technologies are scheduled to expire. America's energy security needs those tax credits, and Congress should act to extend them immediately without offsets. The Senate

took an important step toward that objective by voting 88 to 8—to include the bipartisan Clean Energy Tax Stimulus Act, which I sponsored as part of the Senate-passed housing bill. Now the House must act so we can send a bill to the President that can be signed into law as soon as possible.

With exciting energy technology on the horizon, we can't afford to let these tax credits expire. In Nevada, some innovative projects have already begun harnessing the power of the Sun and to provide energy to our residents.

Nevada Solar One in Boulder City is one of the largest capacity solar plants built in the world and generates enough electricity to power at least 14,000 households a year.

Nellis Air Force Base in Las Vegas has the Nation's biggest photovoltaic solar power system, which supplies 30 percent of the energy needs at that base.

Henderson has Nevada's first solar home community, where each home has a rooftop solar electric system that generates 4,400 kilowatts hours per year. And late last year, Ausra, Inc., selected Las Vegas as the site of the first U.S. manufacturing plant for solar thermal power systems.

The world's largest geothermal power producer is headquartered in Reno.

And Nevada is home to the only associate degree program in the Nation in energy efficiency.

This is the innovative spirit that has powered American progress for centuries and will continue to drive us toward energy security for the 21st century and beyond. Renewable energy is a large part of that security, and my renewable energy bill encourages further investment in all these technological advances.

I believe that energy efficiency is the key to increasing conservation of our nation's energy resources. For this reason, my bipartisan Clean Energy Tax Stimulus Act contains a number of meaningful incentives to put us on the path to greater energy efficiency and independence. My bill encourages Americans to make energy efficiency improvements to their homes and businesses. This bill also encourages appliance manufacturers to produce more energy-efficient appliances.

But we also need to grow America's energy supply so that our economy and our wallets are not in the hands of unpredictable and unyielding hostile nations. What can we do? We can open a new frontier in American energy. I'm talking about responsible exploration in the Arctic National Wildlife Refuge, or ANWR, recoverable oil in deep-sea resources, opportunities with oil shale, a new era of nuclear energy, and a push toward clean coal.

I know these projects are controversial. When I first started considering exploration of ANWR, I had serious concerns. Proponents and opponents have been very vocal on this issue. I sought out neutral information so that I could make an informed decision.

When you really get to the bottom of the debate over ANWR, you learn a few things.

Exploration of ANWR, which would not impact habitat and wildlife, would be limited to a tiny area, roughly the size of a postage stamp on a football field. With such a limited environmental impact, the benefit would be great. ANWR could generate more than 10 billion barrels of oil, enough to replace decades' worth of oil imports from Saudi Arabia. ANWR alone could save the United States \$40 billion dollars annually in money now spent buying oil from overseas. It would also create hundreds of thousands of jobs. Thirteen years ago, President Clinton vetoed legislation that would have opened ANWR for exploration. If he had signed it into law instead, 1 million barrels of domestic oil would be flowing into the United States every single day.

This is American oil that would create American jobs. I'd say that is a much better investment than filling the coffers of countries that despise America and use our money to further that hate.

And we can access more American energy through deep-sea exploration in the Pacific and Atlantic oceans. This doesn't mean we set up oil rigs on our beaches and our shores. Development would take place at least 50 miles offshore, well beyond the visibility from land and at the discretion of coastal State Governors. Again, with very limited environmental impact, the benefit would be great.

There are about 8½ billion barrels of recoverable oil and 29.3 trillion cubic feet of natural gas available through such deep-sea exploration.

Oil shale is another promising supply of American energy that could make us more self-reliant and less dependent on Middle Eastern oil. Oil shale can be mined and processed to generate oil. By far the largest deposits of oil shale in the world are found in the United States in the Green River Formation, which includes portions of Colorado, Utah, and Wyoming. If we estimate there are about 1.8 trillion barrels of oil from oil shale in the Green River Formation, it is three times greater than the proven oil reserves of Saudi Arabia. It is also important to note that more than 70 percent of oil shale acreage in the Green River Formation is under federally owned land. Another positive attribute of oil shale resources.

America has more than a 230-year supply also of coal. Making us the Saudi Arabia of coal. It would be irresponsible for us to ignore this valuable resource that is abundant and affordable. With the progress being made in clean coal technology, we need coal to balance our energy portfolio and make us less dependent on Middle Eastern oil.

Another energy supply that we can take advantage of right here on American soil is nuclear energy. America

was once the leader in this technology, but we are so far behind today that if we don't make drastic changes in our policy, we may never catch up.

Nuclear energy is clean and safe. It causes no air pollution, no water pollution, and no ground pollution. Nuclear energy in the United States has never caused a single injury or death. Unfortunately, only 20 percent of our electricity is coming from nuclear reactors. Doesn't make a whole lot of sense, does it?

We have several challenges when it comes to nuclear energy. President Carter outlawed nuclear recycling back in 1977. Another terrible blow came with the requirement that all radioactive byproducts be disposed of in a nuclear waste repository. Today, Britain, France, and Russia are recycling their nuclear waste, negating the need for a controversial repository, like Yucca Mountain. France has actually used nuclear power to produce 80 percent of its electricity for the last 25 years. France also manages to store all its high-level nuclear waste in a single room.

On the other hand, lawmakers in the United States have been throwing billions of dollars at a mountain in Nevada that is unsafe and unfit for nuclear waste storage. And why on Earth would we bury material that could be recycled into more energy? I also believe we must create incentives for the private sector to tackle the challenge of spent fuel storage. We know that Yucca Mountain is not an option. For this reason, I plan to introduce a bill to establish monetary prizes for achievements in the research, development, demonstration, and commercial application of spent fuel storage alternatives. In the past, prized competitions have been very effective ways of encouraging creative solutions to address difficult technological challenges.

Technology has led to tremendous progress when it comes to nuclear energy, coal, and many other energy fronts. As ranking member of the Commerce Committee's Subcommittee on Science, Technology, and Innovation, I have had the opportunity to delve into the latest advances, and they are exciting. I can tell you technology and innovation will be keys to overcoming our energy challenges into the future. No other single road—renewable energy, conservation, domestic supply—can get us there. But technology, together with these American energy resources, will help lift us from the control of unconscionable nations.

These are the answers to our energy challenges, not some ill-conceived fantasy legislation called America's Climate Security Act, that will only drive us into greater energy insecurity. We can, however, learn from history and if we open this Trojan horse, we shouldn't be surprised to be engulfed by hidden tax hikes, \$5 dollar-a-gallon gasoline, and an army of new Washington bureaucrats.

Instead, let us put our resources into American ingenuity. The innovation that has always come out of our inventors, scientists, and entrepreneurs will fuel our quest for energy security in the 21st century.

Ronald Reagan once said:

Preservation of our environment is not liberal or conservative challenge, it's common sense.

We need to come together to address this issue because it impacts every facet of our lives. I know that we can be champions of a commonsense energy policy that is environmentally responsible as well as economically responsible. Let's not look back on another 13 years and wish we had acted today. The price for inaction is clearly too steep.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, it is my understanding we have the floor until 4:36, if I am correct, which means I would not have time to make a presentation I wish to make on the bill that was pending, the one that we, fortunately, voted against cloture on earlier today. But let me make a couple comments, since I would not have time to do that.

First of all, I believe strongly that something wonderful happened last Friday. We have been fighting this battle for so long. People have been saying manmade gases—anthropogenic gases, CO₂, and methane—were the major causes of climate change. I have to say, I believed that back 7 years ago, when I became chairman of the Environment and Public Works Committee. At that time we found out how much it would cost if we were to ratify the Kyoto treaty and live by its requirements. Fortunately, that amount we did not ratify.

As time went by, I noticed in 2005 we had the McCain-Lieberman bill, also a cap-and-trade bill, which also tried to pin the problem on manmade gases—CO₂. I remember standing down here on the floor and some of the proponents of the bill were down here. In 5 days, only two Republicans from the Senate came down and joined me in this fight. It was lonely for 5 days. We explained to people, No. 1, the science wasn't there; and, No. 2, the cost to the average American would be comparable to a \$330 billion tax increase.

Then I went back and looked at the tax increase of 1993. It was called the Clinton-Gore tax increase that was, at that time, the largest tax increase in the last 20 years. That was only \$32 billion, so this would have been 10 times greater than that tax increase.

Then of course we came up with the bill in 2005. After 5 days we defeated it, but only two Republicans came down and joined me. I am so gratified that last week when we defeated the Lieberman-Warner bill, 25 Members came down and showed that they were not afraid to stand and tell the truth about the causes of global warming—the accusation of global warming, be-

cause global warming has not been taking place now since 2001. It never took place in the southern hemisphere. Last time I checked, that was part of the globe.

The problem was that no one would come down, but last week they came down, 25, and we defeated it. That would not have been comparable to an annual tax increase or cost to the public of \$330 billion, as the Kyoto treaty would have, it would have been some \$471 billion—a huge tax increase. But we did in our wisdom reject that. I feel very good about that.

There is something that has not been said that I think is necessary to talk about and that is we knew this was coming. The Senator from Nevada, Senator ENSIGN, talked about President Clinton's veto of the ANWR opening, the bill that was in December of 1995. What he didn't say was that we had voted in both October and November of 1995. The Senate voted to implement a competitive leasing program for oil and gas exploration and the development and production within the coastal plain of ANWR. That was actually passed. It was passed again on November 17, 1995. I will always remember that date because that is my birthday. It was voted on. Then of course a month later the President vetoed it.

Right down on party lines, in both November and in October of 1995, the Democrats voted against it, the Republicans all voted for it. Republicans want to increase the supply of energy in America. Those were three votes that show it. Again, in 2005—fast forward 10 more years: on March 16, 2005, the Senate voted on an amendment to the budget to strike expanding exploration on ANWR. The amendment to strike failed, 49 to 51. All the Republicans voted for the exploration, all Democrats voted against it.

Again, on November 3, 2005, 7 or 8 months later, the Senate voted on an amendment to prohibit oil and gas leasing on the coastal plain. The amendment failed 48 to 51; 48 Republicans voted against it and 40 Democrats voted for it.

June 2007—2 years later—the Senate voted on the Gas Price Act as an amendment. That was mine. You could have all the exploration you want, all the oil and gas you want, but if you cannot refine it, you are not going to be able to use it, so the Gas Price Act, I thought, was pretty ingenious. What we did was take those ailing communities that were adjacent to military communities, military bases that had been shut down by the BRAC process, the Base Realignment and Closing process, and would allow them to change that vacated area into refineries. It would save a lot of money because the Federal Government wouldn't have to clean them up to the standards of playgrounds; they could just be to the standards of refineries. It also provided that the Economic Development Administration would provide grants so people would be able to start

up refineries. It was killed right down party lines. Again that was 2007.

Then in 2008, May 13 of 2008, the Senate voted on an amendment to expand exploration in ANWR and to authorize drilling in offshore coastal waters. Again, it failed down party lines. I could go on.

The next one I had was 2 days after that the Senate voted on a motion to instruct the budget conferees concerning increased exploration on the Outer Continental Shelf.

What I am saying is this: The first thing we learn when we go to school is that at least American symbols are very strong. They help us to understand that supply and demand is still alive and well in this country. It still means something. If we do not expand the supply of energy in America, then the price is not going to go down, it is going to go up. That is exactly what the Democrats have done by refusing to let us explore for oil and gas as well as nuclear, clean coal technology, and the other forms we need to use.

When it gets down to it, we know the cause of it. We know also we do not want to use the Energy bill. I am very glad the Democrats' energy bill—which didn't have any energy in it, zero, none—went down. Now we want an opportunity to introduce an amendment we have that does allow us to increase the availability and the amount of energy in America—either oil and gas, nuclear, or clean coal technology, and all the rest, wind, and all the renewables also. We need to do that. It is a simple thing. We need to quit blaming each other. We know how we got to this position. Now we need to change our behavioral pattern.

Americans right now realize—gas is \$4 a gallon. I can assure you—I am not sure how it is in California and other States—in Oklahoma that is the No. 1 issue. In Oklahoma they understand supply and demand. We need to understand it in this Chamber too.

I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Is it my understanding the Democrats now have 30 minutes reserved? Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mrs. BOXER. Madam President, I was interested to hear my friend from Oklahoma, the ranking member on my Environment and Public Works Committee, talk about how much the Republicans care about gas prices after they just tanked our effort to deal with them. It is extraordinary what we are seeing here, right before the eyes of the American people.

Last week they said "no" to global warming legislation. Global warming is real. The Senator from Oklahoma reminds me of the people who kept saying: No, the Earth is flat. No, cigarettes don't cause cancer. He is lining up with those people.

The vast majority of scientists tell us global warming is real. He bragged

about how he beat us last week. Let me take a look at that. He said it was a wonderful thing that happened on Friday, when the Senate didn't get 60 votes to continue the debate on global warming and address it. He said it was a wonderful thing. I want to say to the 89 percent of the American people, who believe global warming must be addressed, because it is a moral issue that is facing us, because we have to protect this planet for our grandkids, because we need to get off foreign oil, have alternatives to foreign gas—and yes, in my State it is well over \$4—we have to address it. He is celebrating the fact that we fell short.

Let me tell you we fell short by only six votes. We fell short by six votes. We had 46 Democrats for dealing with global warming now, plus 8 Republicans—54. We needed 60. He is celebrating.

We are going to be celebrating come November because we are going to have a President who is going to work with us on global warming legislation and we are going to have six more votes here in the Senate, I can predict. Because my friends on the other side of the aisle—with a few exceptions, very few—are fierce defenders of the status quo.

Let me repeat that. The leadership in the Republican Party and the vast majority of Republicans, save a handful, are fierce defenders of the status quo. They say no to global warming legislation which will get us off foreign oil, which will get us off big oil. They say no, today, to going after the speculators, going after big oil, making them disgorge some of that money so we can invest it in alternatives; going after OPEC and saying: If you are colluding, you are going to be held accountable.

They said: No, no, no. Yes, to the status quo; no to positive change for the American people.

They come down to the floor and they are happy about it. It is unbelievable to me.

The wonderful thing that did happen on Friday is we reached a high water mark. We reached 54 votes. The last vote on the global warming bill, it was 38.

The even more wonderful part is out of the people who were absent, who sent in letters who said they were with us, were the two Presidential candidates. So all that talk about celebrating the fact that we stopped global warming legislation is kind of a death rattle, in my opinion, for those people who do not believe they have to address this challenge of our generation.

I am looking at the young people here today, their beautiful faces. They deserve to have a good life in the future. I want to say to them today: You are here in an historic time because the window is closing for action. With global warming, if you don't act, you lose valuable time, because the carbon stays in the atmosphere for so long it becomes more difficult to get it out of the atmosphere.

Last week we came up six votes short even though we reached a high water mark on the bill. At the end of the day we now have a roadmap for change—46 Democrats voted yes to tackle global warming, 8 Republicans voted yes. What does that tell you about the two parties?

When I took the gavel in January after the Democrats took back this majority by only the slimmest of margins, I said I wanted to put global warming on the map because under the leadership of my colleagues on the other side of the aisle we did nothing to address it. The President has basically—and we know this for sure—interfered with the scientists in his own administration and not allowed the facts to be told. So we had 25 hearings.

The second thing I wanted to do is make it bipartisan. JOHN WARNER said, "I am with you. I care about my grandkids. I care about national security." The Naval Academy did a very important study that this is going to be the No. 1 cause of wars in the future as we have desperate refugees running away from droughts and famine and flooding and all the rest, and rising sea levels. When JOHN WARNER came across, I knew I had accomplished that. He did it for me. He made it bipartisan.

Then we got the strong bill out of the committee, we improved it, we got it to the floor, and we knew it had a lot of work. We got a letter from 10 people who voted for it who said: Look, Senator, and HARRY REID, we need to work on it. We understand that is what we have to do when our next President says let's go, let's get a bill through. So I think it is appalling that my ranking member of the Environment Committee would come down here and celebrate the fact that we were not able to move forward on global warming legislation, and furthermore said it is not real. He brought that out again.

I do thank those who engaged in the debate, both pro and con. It was a landmark debate. I only regret that the Republicans filibustered and we had to take the bill off the floor because we could have gotten a very good bill. It was a very good bill to start with and we could have worked on it and made it even better.

But, come November, we will see whether I am right or wrong. I think I will be right. One of the reasons I am right, and I believe we will have Senators here who are going to be hospitable to global warming legislation, is because we also need Senators who are hospitable to doing something about gas prices.

This is an amazing chart. Since George Bush got into office—do we remember this? He and DICK CHENEY were oil men. One of the reasons they urged for getting elected is: We know how to deal with the oil companies; leave it to us. We know how to deal with the Saudi Arabian princes; leave it to us. We will deal with it.

They dealt with it. There was a 250-percent increase in the price of gas—

\$3.94. This is old. It is now \$4. This I used last week. It is already old; today it is \$4. In my State it is about \$4.40. You can't keep up with the increases in the price of gas. This is what we are facing.

So in the Senate today we said: All right, they said no to global warming legislation—which was a long-term answer to big oil.

What we would have done is we would have had a cap-and-trade system that would have put a price on carbon, gone between the free marketplace, and that would have led to trillions of dollars, I say to my friend, trillions of dollars in investments by the private sector, cellulosic fuel, automobiles that get 150 miles per gallon, electric cars, all the rest. That is the long-term solution pushing down demand. We all know that. Pushing down demand.

Now, the other side will say if you drill in a wildlife refuge it will solve your problems. No, it is false. Put aside that Dwight Eisenhower, a Republican President, set aside the Alaskan Wildlife Refuge and said this is a precious gift from God; set it aside. What are you going to do to God's creatures by drilling over there? Forget it.

Put it aside for the moment and talk about what you get. You get 6 months' worth of oil. You cannot drill your way out of this. Someone said—I think it was Senator MENENDEZ who made a great analogy. He said: Everybody says we are addicted to oil. Even our own President says we are addicted to oil. Let's say someone was addicted to drugs. Is the way to get them off drugs to give them 6 months' more worth of drugs? Does that help? No. No. No.

We need to figure out a way to get off of foreign oil, get away from big oil, because we know the developing nations are gobbling it up. And we also know we have done so little, so little to address the issue of energy efficiency, fuel technology. It is a sad thing. We have lost so much time.

Today at gas stations across the Nation, the American people are suffering. They are facing sticker shock. They are having to choose, choose between something they might buy at the store for dinner and filling up the tank. That is a fact. That is a fact.

I will never forget when Vice President CHENEY first sat down for his closed-door meetings with oil executives and energy industry lobbyists, and we said: We want to know what you are talking about, Mr. Vice President. What is going on behind those closed doors?

And he said: Oh, I am working to make energy affordable.

You know what gas was? It was \$1.50. That is when he sat down with his friends in oil companies. We cannot find out what they talked about, but I can tell you this: Whatever they talked about was good for them, was good for the oil companies, was good for big oil. Gas is \$4.40 a gallon in many California locations. I have seen gas prices as high as \$5 in my State. So we have secret meetings with DICK CHENEY with

the energy people, and gas went up 250 percent.

Again, these are old numbers. It is even worse. Gas went up 82 cents since January—82 cents since January. Again, it is even more than that now. It is way more than that, close to 90 cents.

In every case, you see the Bush administration saying they are going to do something. They never did anything. A lot of talk, a lot of yack, a lot of visits with Saudi Arabia, a lot of kissing on the cheek with the princes, holding hands. We saw the picture. What happened? This. Straight up. Two oil men in the White House. Is it any wonder?

Many of us said at the time, other people said: It is terrific, two oil men at the White House. They will know how to deal with the oil companies. Well, they sure knew how to deal with the oil companies. The oil companies never had it so good. And my Republican friends right here, with few exceptions, have fallen all over themselves to give those very same companies huge tax breaks, even as they are making record profits.

Listen to this: Last year the oil companies pocketed \$124 billion in profits, up from \$29 billion in 2002. That means they have quadrupled their profits since 2002, four times. Let's think about it, America. What happened to your salary? Did your salary quadruple? I think we know the answer to that.

We know Americans are losing ground. The average family is losing ground, thousands of dollars in lost revenue. Their salaries are not keeping up with inflation. The price of gas is out of sight. It is hard for them to get health care. Health care costs are out of sight. Food prices are going up. Everything is going up—tuition.

But what do my friends on the other side say? They want to give oil companies these great big tax breaks. They did in 2004 and 2005. Believe it or not, they gave them tax breaks worth over \$17 billion over the next decade. And these tax breaks are free and clear. We did not even say—they did not say in the legislation oil companies have to invest in renewables, improving infrastructure, increasing capacity. No. You know what they did with the money? They spent \$185 billion on stock buybacks instead of investing in clean, alternative fuels or new refinery utilization.

And as my friend in the chair said today, they are spending more on public relations than the average family spends in a lifetime because they know, when the American people really understand this, what the American people will think. Have you seen those beautiful commercials by the oil companies? We really care. We are doing so much.

Do you think they are doing all of these wonderful things? No, most of the money is spent on buying back their stock.

Unchecked speculation. I have heard some experts say that about one-third of the price of oil a barrel is due to speculation. We tried to pass a bill today that, first of all, said to the oil companies: That is the end of your break. You need to either invest your profits in the future, in other technologies, or give it back to us, and we will do it on behalf of the American people.

They said no. They will protect big oil until they have to pay the political price. Protect big oil, protect foreign oil. They protect foreign oil, OPEC. We said the Attorney General should be able to sue a foreign company or foreign country if they colluded on the price of oil. Oh, no, they could not do that to big oil either. They are in love with big oil over there. They are in love with foreign oil.

My people are saying: Enough is enough is enough is enough. It is no wonder that the American people want change, and they are going to get change. They are going to get it in November. They are going to bring it to us. They are going to bring us change.

The former oil men in the Bush administration have been uninterested in taking on the unchecked speculation. This vote reflects the administration. That is it. They all marched together.

Well, I think they are marching off a plank. The American people are smart and getting smarter every day. They know the pain they are feeling at the pump has a cost. They understand the speculation on futures. We address that. We address that in the legislation on which they voted no.

We said: You cannot take money and speculate on futures in an out-of-town market, an out-of-country market. You have to have transparency. Oh, no, they do not want transparency. That would be bad for the oil companies.

If anyone ever says to you: There is no difference between Democrats and Republicans, look at the debate we had on global warming, look at the vote on global warming, and look at the vote we had today. There is an enormous difference. And it has to do with whose side you are on. In the case today, it was are you on the side of big oil and foreign oil or are you on the side of the American people? It is pretty clear.

You have to look at Iraq. We have been in Iraq more than 5 long years. Do you remember what President Bush said when he went in? He said Iraqi oil would pay for the reconstruction of Iraq. He did. And look at what we have spent on this war. We are going broke on this war. We are into it longer than we were in World War II.

We are looking at trillions of dollars at the end of the day in the actual cost of the war, the cost of the reconstruction, the cost of taking care of our beautiful, brave, courageous, and incomparable men and women who are coming home in desperate shape.

What happened to George Bush's promise? They stand up, we stand down. Well, I think they are standing

up. Why are we not standing down? And why did the oil not work out? Why were we not able to pay for reconstruction from the price of the oil?

It is very simple: We have had a destabilization in the region because of the war, and that contributed to these high oil prices. What a disaster—a disaster, a disaster, a disaster.

We would have today, had we had the opportunity to move forward on our legislation, not only sent a signal which could have done something, we could have investigated these companies for the kinds of illegal actions I believe some of them are taking. We could have gone after companies and countries for collusion. We could have gone after these excess profits and said: Look, we want everyone to do well, but let's have some fairness. I will tell you, the American people are not going to stand for it.

So we have had a very interesting few days. And my friend, the ranking member from Oklahoma, says how he is so excited. Friday was his best day—his best day—his best day—when a majority of the Senate said, yes, let's take up global warming legislation, and he opposed it.

His days are numbered on this point. All we need is six more Senators who are different than the many on the other side, and we are going to get that. People want this. We know 89 percent of the people want us to address global warming.

When we do it in the right way, we will send a signal that America is ready to lead. America is ready to work with the world so that we get off of foreign oil. We are not dependent on countries we do not want to be dependent on; we are not dependent on big companies that can care less about our families. They do not care one whit about our families. The executives are making millions and millions and millions of dollars every year on salaries, on bonuses, on expense accounts.

Well, the average family in America is struggling. So I hope the American people are watching. Last week we had a monumental vote, the high water mark. But they stopped us. Today, we had a good vote also, but they stopped us. They stopped us from doing anything about gas prices, and their answer is drill in a wildlife reserve which, at most, gives us 6 months of oil, and, by the way, destroys a gift from God that a Republican President said is not an answer.

That is feeding the addiction. Are there places in America we could drill? Yes, there are. But what we need is a whole different long-term strategy. And that long-term strategy and fighting global warming will throw us off this dependence. That will make us a leader in the world. That will create green jobs, technologies we can export, and we will have an economic renaissance in the Nation.

We will be the leader the world again when it comes to the environment and the good-paying jobs. In the short

term, we need to go after the speculators like we wanted to do today. We need to go after companies and countries who are colluding. These are the things we need to do.

We were ready, willing, and able to do it today. In closing I will say this: Whose side are you on? That is a question that every one of us has to ask ourselves. It ought to be: I am on the side of the American people, of America's families, of America's middle class, who is getting squeezed.

It ought not be: I am on the side of big oil. And my Republican friends on the other side again, on the vote last week and this vote, have chosen sides. And the American people will decide who they want to have leading the country.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we have had some unusual developments in the Senate in recent days. No sooner had the majority in the Senate moved to the cap-and-trade bill, for which they were demanding the debate be limited and utilizing a procedure by the Democratic majority leader to basically fill the tree, which eliminates free debate of amendments on the bill—this was a piece of legislation that was claimed to be one of the most important to be offered in the Senate.

In the early 1990s, when the clean air act amendments were passed, 131 amendments were disposed of during that debate, and it took 5 weeks on the floor. This bill has more far-reaching and pernicious ramifications than the Clean Air Act Amendments. Yet they were going to end the debate and begun to spin the issue as if the Republicans were filibustering the bill. That is what they said repeatedly: Republicans were filibustering the bill. But in truth we wished to talk about the bill. We asked to be able to do so and use the 30 hours which Senate rules allow to discuss the legislation, and our request was treated with great horror, as if this were somehow a plan to reject a discussion of the legislation.

Well, no sooner had we done that and gotten through that, and the majority leader filled the tree to limit real amendments on the bill—amendments he did not approve—then, the majority leader came forward and moved to move off the bill, to move away from cap and trade—the centerpiece of their philosophy about what is happening in energy in America today—and he wanted to move to their Energy bill, which I think can legitimately be referred to, in utilizing senatorial license, as a no-energy bill. I will talk about that in a minute.

It is not an energy bill. It is not going to produce any energy. It is weak to a degree that is breathtaking. It is not what the American people are upset about. It would not come close to helping us deal with the serious problems we face.

So I would say, this is a weird kind of event here. The no-energy bill I understand they would like to move to—and wanted to move to—would authorize the U.S. Government to sue OPEC nations that are withholding and reducing supplies of oil on the world market in the way we would sue an American company that was manipulating the market by withholding products or otherwise colluding to fix prices. Now, that is exactly what OPEC is doing. What they are doing is unacceptable, and it needs sustained, relentless leadership by this administration and this Congress to stand up to OPEC and confront that because they are effectively raising the price of oil by restricting supply. I understand other nations are seeing declines in production as well, including Mexico and Russia. So we are creating shortages in the marketplace, allowing people to make large amounts of money—corporations and others—but the people who are primarily making the money are oil-producing nations. Go look at the skyscrapers they are building in the desert, the billions and billions of dollars they are receiving from us as a result of these high prices, as a result of tripling the price of oil on the world marketplace from the forties just a couple years ago to now over \$130 a barrel. So you were getting \$40 for each barrel of oil one year, and a couple years later you are now getting \$130 for each barrel in your small country. The bigger countries, of course, make more money because they produce and sell more oil.

We are sending overseas each year from our Nation \$500 billion a year to purchase the oil that comes into our country. It is half the trade deficit we have—half of it—just to purchase this oil. It is not getting better, and we have no policy before us to legitimately do something about this other than the one Senator DOMENICI and Senator MCCONNELL and the Republican leadership offered a few weeks ago, which was rejected.

Let me explain what this no-energy bill and its NOPEC provision would do. We would sue OPEC nations for refusing to increase their production. Now, how you get jurisdiction over a sovereign nation—the Presiding Officer, a former attorney general, as I have been in a previous life, knows jurisdiction may sound like a little thing. It is not such a little thing to get jurisdiction over a sovereign nation to order them to produce more oil out of their ground.

But I would submit to you, the idea is so weak and so implausible and so unenforceable that it would be a laughable thing if it were not so serious because we do have a problem with OPEC nations and others who are fixing the price of oil.

See, oil production is an essential part, I would suggest—and I think most any court would conclude—of sovereignty. A sovereign nation can produce as much of its oil as it wants to produce. You cannot make them produce more oil because you would like them to. They are not like an American corporation, subject to the jurisdiction of the court. Part of the protections of the laws of America, they become subject to lawsuits—but not a foreign nation.

We do not want them suing us to say: You ought to open ANWR—or perhaps we might. Open Alaska. Open offshore. Now, that has, perhaps, a lawsuit that might have some merit. Or maybe sue the Congress for voting not to produce more oil and gas off our shores over the years. At least you could get jurisdiction over Congress.

So this is not a serious response, I will say to you. It is not.

Now, in addition, they propose in this Energy bill to tax the oil companies, but taxing the oil companies will not produce more energy. You can take this to the bank. It is a concept of universal acceptance. When you tax something, you get less of it. What we need in this country is more energy, not less. We need more cleanly produced, clean American energy. That is what we need more of. That is what people are complaining to me about.

When I go back home and talk to my constituents, they are upset. They are outraged. According to the national reports that came out yesterday, the people in my home county in Alabama—the citizens there—pay a larger percentage of their income to buy gasoline than any other county in America. It is because they are rural, they have low wages. They do not compete with the big-city wages, and they have to travel so far to work.

That is a very painful thing. It brings it home to me personally. I filled up our smaller car this weekend, and it cost \$61. People have larger cars. They bought them years ago. They cannot just go out and sell their SUV today—what price would they get?—sell it so they could buy some Prius. Where are they going to get the money to do that? We would like them to. We would like them to move to those kinds of vehicles in the future, but it is not possible today.

So the “masters of the universe” who think we can pass a bill and allow the price of energy to be exceedingly high and that the people will adjust their habits so they can reduce the price of oil, are not in the real world. Let's get with it.

I tell you, my constituents are unhappy, and they want us to do something to confront, in a realistic way, the surge of prices that are impacting their budgets very seriously. They also understand these rising prices that are taking money out of their budget are also impacting the businesses they deal with and see and, perhaps, work for and it is making us less competitive in the

world marketplace and it places us in a position to see our economy sink in general and it puts at risk their job. It affects how many hours they might work a week and whether they can get overtime or whether they get a bonus. That is what people are worried about.

So what do we have before us? A cap-and-trade bill that is guaranteed, according to the Environmental Protection Agency, to drive up the cost of gasoline \$1.40 a gallon to meet Kyoto-type agreements we did not sign and we have not approved. That is not what people are telling me they want us to do. They want us to produce more clean American energy.

Well, I hate to be partisan about this, but I think we need to talk about how we got here, what happened in this country to get us in as bad a shape as we are. The trends have not been good in terms of a rising demand for oil and energy and a not-rising-so-fast supply, but there are things we could and should have done and some things we did 2 years ago that are being reversed.

In 2005, for example, this Congress, when Senator PETE DOMENICI chaired the Energy Committee, recognized the potential of oil shale in the Energy Policy Act that became law. The act identified oil from the shale rock out in the West as a strategically important asset and called for its development. Yet, last year, the Democratic-controlled Congress, led by the House of Representatives, put in language that blocked and reversed the development of this abundant resource despite the surging price of oil and gasoline.

In the recently passed Energy Independence and Security Act, the House-sponsored section 526 prohibits any Federal agency from contracting to procure any alternative or synthetic fuel that produces greater life cycle greenhouse gas emissions than those produced from traditional fuels. This language prohibits the Federal Government from contracting to produce and use oil shale and coal-to-liquids. This provision is misguided and should be repealed immediately.

Now, let me tell my colleagues—I know the Presiding Officer is familiar with a number of these issues—a representative of U.S. Air Force was in my office a few weeks ago discussing a contract they had with a company that would take coal—we have 250 years of coal in America. It is an American energy source. You can heat that coal and off comes a gas which can be converted through a known and proven process to a liquid, and they were going to use it in their airplanes to fly U.S. aircraft with it. But the Air Force representative told me the language in section 526 had blocked them. Coal-to-liquids derived fuel is a fabulously clean fuel. It actually cleans the engine, so when you use this fuel, the pollutants and waste products have been taken out, and it is a very pure fuel they burn, and the Air Force was expecting to be able to bring this fuel into the U.S. Department of Defense

for around \$85 a barrel. That is well below the more-than-\$130 a barrel cost that is on the world marketplace today, and it is a source of energy that does not leave the U.S. Air Force dependent on foreign sources of oil to fuel our Nation's aircraft in the defense of America. But this effort has been blocked by the Democratic majority.

The 2005 Energy Policy Act, which Senator DOMENICI led when he was chairman of the Energy Committee, also directed the Bureau of Land Management to lease Federal lands for oil shale research projects. There are approximately 1.8 trillion barrels of oil in oil shale rock, but it is hard to get out. It is not easy to get out. It takes some effort to produce that, but some major companies are prepared to invest billions of dollars to prove that it can be brought out well below the current world price of oil. I would have thought we would have been delighted to see this go forward—at least in an experimental way—and see how that would work out. But oh, no. This Congress, again with a Democratic majority, acted to block the development and the carrying out of this provision that would promote oil shale. The Senate-sponsored section 433 of the Consolidated Appropriations Act—this was the monumental appropriations bill that was about this thick. They slipped language in, in conference, to take care of that. It would prohibit funds from being used to implement any leasing program directed to the Bureau of Land Management, as had been approved in 2005, effectively stopping this program.

I will just say that is frustrating. We are sort of in a manner of disconnect here to an extraordinary degree. The American people want us to do something. Oil shale: Well, it is not going to be easy, but this is not a dreamland idea. It absolutely can work. One company is using the same technology that was used by the oil sands industry in Canada that has proven to be quite commercially feasible. We need to be testing this because 1.8 trillion barrels of oil in oil shale would be enough for 100 years of oil—actually, 200 years of oil at our current rate. So oil shale, if we could make that breakthrough, would make us completely independent of foreign oil. We have huge reserves offshore, as the Senator from Louisiana knows. He is out there. He is in Louisiana, and he sees the production that survived Hurricane Katrina, and as a result, we were able to get those systems back on line with no oil spills or damage to the environment.

I thank the Chair for letting me share this frustration. I don't know where we are going now, but I know one thing: This Congress does not need to leave this energy debate without creating some policies that allow for more production of clean American energy. We can do that. We are going to continue using oil and gas for many years to come. Why in the world would we want 60-plus percent of it to be for-

eign oil? Why wouldn't we want to at least produce what we can at home—and really we can produce quite a lot at home. It is very frustrating that attempts to do that have been blocked by persons whose thinking, I believe, on this issue is confused and not in the public interest.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, in the year 64 A.D., there was a tremendous fire in Rome, and legend has it that the Emperor Nero fiddled while Rome burned. Well, I am afraid that if we continue to fiddle in the Congress while gas prices continue to go up and up and hurt all of our constituents in a deep abiding way, Nero will outpace us in terms of his legendary action compared to our inaction.

We are truly fiddling while this enormous crisis of rising gasoline prices hits every family we purport to represent. We are doing nothing significant, nothing important to address this crisis.

Why do I say that? Well, when this new Democratically led Congress took office a couple of Januaries ago, prices at the pump were about \$2.33. That new leadership of the Congress—the Democratic leader in the Senate as well as the Democratic leadership in the House—said that this was unacceptable. They vowed that this was a major issue they would address, that they would attack in a focused, meaningful way. Well, a year and a half later, things have changed. The price at the pump is now about \$4 a gallon. It has gone up and up, and this Congress has done little to nothing.

To add insult to injury, the Democratic leadership in the Senate proposed legislation today that centered around major measures that can clearly change the price at the pump, such as a windfall profits tax and language to sue OPEC. I find this insulting, and I believe the American people do, because that sort of political demagoguery and posturing is no substitute for real energy policy.

Yesterday, I was in my home State of Louisiana. I had two townhall meetings. About a week before that, I was all around the State; I had nine others. Folks asked again and again: When is Congress going to act? When is Congress going to do something meaningful about these escalating gasoline prices? I laid out my ideas. They were reacted to in a very positive way, particularly the need for us to do more for ourselves right here at home to produce more energy.

Certainly nobody in those audiences had very kind words to say about OPEC. Nobody was standing up and lauding the big oil companies. But by the same token, they know the difference between political rhetoric and posturing and real energy policy. They certainly know that a bill to sue OPEC and try to impose a Carter-era windfall

profits tax on big oil companies isn't going to do a darn thing, at least on the positive side of the equation, to stabilize and lower gasoline prices at the pump. It is going to have no meaningful impact, certainly, to produce more energy and bring those prices down.

So I come to the floor to urge all of us—Democrats and Republicans—to come together to get real and to act in the face of what is a true economic crisis for millions upon millions of American families.

As I say, it is easy to agree that OPEC or big oil is a cheap political target. It is easy to agree that it may be popular superficially to kick them around and to politically bash those easy targets. But I truly believe the American people are smarter than that and can distinguish between political posturing, political rhetoric, and a real energy policy. I think it is particularly true with the windfall profits tax proposed by the Democratic leadership today.

Now, why do I say that is not a real energy policy and it won't lead to stabilizing and reducing prices? Well, there are three main reasons:

First, the entire notion of a windfall profits tax is a misnomer. Oil company profits are very big when you look at them in dollar terms. Why is that? Mostly for one simple reason: Oil company activity—exploration and production—is enormously expensive. As a result of that, the major oil companies are enormously big companies—big economic actors—so the dollar terms we bandy about having to do with their activity is enormous. But, of course, when you talk about profit, you can't talk in simple dollar terms; you have to talk in percentages.

So what are those percentages? Are they, in fact, windfall profits? Well, the last year for which we have data is full calendar year 2007, and in that calendar year oil and gas companies' profits were, on average, 8.3 percent. How does that compare to everybody else? Well, for all of the U.S. manufacturing sector—a sector we always decry as in decline, being outsourced, being out-competed by competitors such as China and India coming on line—that entire sector had a profit of about 7.3 percent. If you take out U.S. auto companies, which have historically low profits, unfortunately, then the entire U.S. manufacturing sector made a profit of 8.9 percent. So these outrageous windfall profits folks talk about of the oil companies are, in fact, very much in line with that: the whole manufacturing sector, 7.3 percent compared to 8.3 percent. Take out auto manufacturers, and, in fact, then the profit rate is higher, 8.9 percent compared to 8.3 percent.

The second reason this entire focus and argument is silly and not real energy policy is when you look at whom you are hurting. Now, the proponents of these sorts of measures talk about going after windfall profits as if oil

company executives own it all. Well, they own some—1.5 percent of the companies we are talking about. Who owns the rest? Well, over half of oil company shares are owned by mutual fund companies which are widely owned by Americans. That manages to account for nearly 55 million American households. Median income of these households, by the way, is \$70,000 or less.

Pension funds, both public and private, hold 27 percent of the shares in the energy industry. That means 129 million pension fund participants, who have accounts worth an average of about \$63,000, own the companies we are talking about. Twenty-eight million of those pension funds are for public employees, including teachers, police, fire personnel, soldiers, and government workers. So these are the folks who own these companies that we are supposed to go after.

The final and most important and compelling reason this notion of a windfall profits tax is a red herring is that it won't produce more energy. It won't stabilize or lower prices at the pump. It won't help the situation. It will, in fact, make it worse.

Why do I say this? Because we have historical experience to turn to to see what happened. Under President Carter, we tried this experiment. In terms of boosting energy production, stabilizing or lowering prices, it was a miserable failure. From 1980 to 1988, we had a windfall profits tax. That reduced domestic oil production by up to 8 percent, while dependence on foreign oil grew over that time up to 13 percent.

So instead of this sort of tax approach to the oil companies' tax approach to energy, we need to produce more energy, more supply, to stabilize and lessen prices. As my colleague from Alabama mentioned a few minutes ago, one of the first rules of economics is, if you tax an activity, you are going to drive it down, lessen that activity; you are not going to drive it up.

If somehow this tax plan—windfall profits tax—or the myriad other tax proposals the Democratic leadership has brought to the floor would help solve our energy problems, I would be all for it. But it is going to make us produce less energy, not more. What will that do? That won't stabilize or lower gasoline prices at the pump. It will drive them up.

Let's get serious for once. As the American families we represent face a true crisis, let's put people ahead of politics. Let's put sound policy ahead of political posturing. Let's focus on what can make a positive impact. We need to do much in this regard, on the supply side as well as the demand side—conservation, greater efficiency, more R&D, and new fuel sources. But at the same time we need to focus on the demand side, on what can help us produce more safe, clean energy here at home. We have those resources here at home. We can access them safely and

in an environmentally friendly way. But in order to do that, Congress needs to get out of the way and allow States and private industry to do just that.

Offshore is a big piece of that puzzle. That is why I have brought to the Senate floor my proposal that says if these outrageous prices at the pump actually hit \$5 a gallon, then we will allow exploration and production in our ocean bottoms off our U.S. coast—but only if two things apply: First, the host State involved would have to want this activity. So the Governor and State legislature in that host State would have to say, yes, we want this activity off of our coast, we want to be part of the solution to help meet the Nation's energy needs. Secondly, that host State would get a fair share of the royalty, or revenue, from that ocean bottom production, 37½ percent, building on the precedent, the policy we set 2 years ago in opening some limited new areas in the Gulf of Mexico. That actually does something about energy. That actually would increase supply right here at home, would lessen our dependence on dangerous foreign sources, would help stabilize and bring down prices at the pump—something the political posturing of suing OPEC or putting in a windfall profits tax, a Carter-era idea, on the big oil companies would not do.

Let's not fiddle while Rome burns. Let's get serious. Let's act respectfully to the situation, the real crisis so many Americans face. Let's come together in a bipartisan way and act, not posture, and debate and talk but act with real energy solutions. We need to do this, as I said, across the board, on the supply side and on the demand side to lessen demand through conservation, increased fuel efficiency, and new energy sources.

We need to come together and act now, rather than simply giving political speeches and endlessly posturing and going after easy political targets.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. BARRASSO. Mr. President, I rise today to speak about American energy independence, energy self-sufficiency, and specifically to talk about clean coal and clean coal technology.

I have introduced a number of constructive amendments to the Lieberman-Warner climate change legislation. But one of the most important of those was the need to address the future of clean coal technology.

If this body chooses to pursue cap-and-trade legislation, we need to ensure that the Senate includes provisions to bring about the energy security our Nation needs. The so-called cap-and-trade legislation would impose greenhouse gas emissions and mandates that are unrealistic in scope and in timing.

In a time of high energy prices, in a time of housing deflation, in a time of food inflation, taxpayers cannot afford misguided policies that hamstring our economy. Our competitors—India and

China—are not constraining their economies with carbon limits. Global issues deserve global responses. Blindly imposing Government regulations will force heavy burdens on utility consumers, on labor, and on American families.

Last week, the record was clearly laid out that this proposal raises consumer prices through Government mandates. I believe most Americans favor policy approaches that balance America's need for energy with environmental protection.

In order to avoid substantial economic fallout, Federal funding is not only warranted to help American commerce meet this challenge, it is essential.

Despite the recent pace in developing clean coal technologies, America cannot afford to simply give up on this challenge. Coal is abundant. Coal is affordable. Coal is reliable. Coal is secure as an energy source. Coal can also become a very clean fuel.

As noted in the May 30 front-page article in the *New York Times*, America will continue to rely heavily on coal-fired electric generation for decades to come. The *New York Times* reporters are merely recognizing what is abundantly evident from official Government predictions.

The article also aptly notes that coal-fired generation holds great promise for reduced carbon dioxide emissions. America's energy policy must not simply deliver sustainable energy; America's energy future must incorporate a vision for a safer, cleaner, and healthier environment. Clean, coal-fired electric generation must be an integral part.

The challenge before us is significant. Reduction of greenhouse gas emissions from coal-fired powerplants will be possible through first capturing carbon dioxide emissions and then sequestering them underground. Both will take time and both will take money.

In order to achieve this challenge, the Federal Government and private industry must partner in funding research and technological innovation. Timing is critical. America needs to make a serious and substantial investment in research and developing commercial technology.

In order to achieve energy security and a clean environment, the Federal Government must demonstrate its commitment with targeted, upfront financial support. We must show leadership, not merely dictate flawed policies and hope for the best.

What does this mean? If Congress mandates reduced emissions, it is incumbent upon us to also provide the policies to allow our own economy to succeed.

Proven, commercially available, cost-effective technologies must be developed with respect to carbon capture and sequestration. These technologies must be efficient, effective, and allow America to continue to compete globally.

The amendment I have filed would direct \$50 billion in revenue from emission allowances—\$40 billion for the demonstration and deployment for carbon capture technologies, and \$10 billion for large-scale geologic carbon storage demonstration projects.

This is an enormous investment, but it is also necessary. This amendment is technology neutral. It would not rely on Government to dictate the favored type of carbon capture mechanism. Incentives would be provided by the choice of the recipient as a loan guarantee, through incremental cost sharing, or in the form of electricity production payments for each kilowatt hour produced.

This amendment includes aggressive but achievable technological milestones. It also establishes a timeline for new projects over the next 7, 8, or 10 years. This amendment is reasonable, rational, aggressive, and achievable.

Making this investment comes down to a choice between two things: one, Congress taking responsibility for the mandates proposed; two, regulating the economy and turning its back on ratepayers, on manufacturers, and on American families.

Without investment in coal, it will mean higher heating and higher cooling bills that will continue to ripple through the economy, picking winners and losers.

Last week, some Members of this Chamber insisted upon policies that would raise prices at the pump through regulation. Today, they tried to address the runup in gasoline prices by raising taxes.

I will tell you that the rising prices of gasoline are hurting the people of Wyoming and the people across this country—truckers, ranchers, commuters, and all American families.

I adamantly disagree with the so-called "solutions" proposed by the majority, which were higher taxes and more regulation. I urge my colleagues to allow real solutions to today's energy prices, including American exploration and investment in American technology. It is time to enact a prosperous path for the future of America's energy and America's economy.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. ENZI. Mr. President, I thank the Senator from Wyoming for his comments. He is well aware of the spirit of community in Wyoming, which relies on jobs, like everywhere else. He makes points about how important all of the energy sources in Wyoming are, and particularly coal, and the opportunities we have for the American people to make coal even better, even the clean coal we have in Wyoming.

TRIBUTE TO DAVID TROWBRIDGE OF LINGLE,
WYOMING

Mr. President, I rise today to talk a little bit about some of that spirit of community in Wyoming. It also has to do with the spirit of community in Mississippi.

Shortly after Hurricane Katrina, I went to visit down there and see what had happened. I definitely had to admit that Louisiana had been drowned. Then I got to see Mississippi, and I saw they not only were drowned but they were blown away. I saw one place where there were oak trees that were easily 2 feet in diameter that had been snapped off about 6 feet above the ground from the wind. The devastation down there is almost impossible to imagine. I always say a picture is worth a thousand words, but being on the ground is worth a thousand pictures. We got to see that. It still is an area that is in recovery.

Today, I wish to recognize the actions of one Wyoming man who left his home out West to go help his fellow Americans down South. He has done more than simply lend a hand to a small Mississippi town devastated by Hurricane Katrina. He lent his heart, and he is an example for all of us to follow.

David Trowbridge of Lingle, WY—one of our small towns—is quite a hero. Shortly after Hurricane Katrina ravaged the gulf coast in 2005, he joined a group of volunteers from his church on a trip to Bay Saint Louis, MS, where they provided aid to storm victims. There, David witnessed firsthand the utter destruction of the hurricane—the lost loved ones, the wrecked homes, and the destroyed livelihoods.

Upon returning to Wyoming, Mr. Trowbridge vowed to go back to Mississippi and help as many people as possible. I have learned from members of his small church in Lingle that Mr. Trowbridge is a man of his word. He did go back, and he is still there helping.

In June of 2006, he purchased a motor home, loaded his tools and moved from Wyoming to Bay Saint Louis indefinitely. I have to tell you, we hope he comes back before the census because Wyoming can use the population. Since then, Mr. Trowbridge has spent his time working with First Baptist Church to help others rebuild their homes and their lives.

In all, he has worked on 62 houses in the Bay Saint Louis area. From roofing and laying tile to painting and plumbing, Mr. Trowbridge has provided critical building repair services to many grateful families. He has also played an integral role in training the thousands of volunteer teams that flocked to Bay Saint Louis to assist with the rebuilding process. He teaches the volunteers the skills they need to repair homes. Then he works side by side with them, helping the volunteers to finish their projects and achieve their goals.

Mr. Trowbridge has changed countless lives through the giving of his time and labor, and he has done it all without asking anything in return. His work is completely volunteer. Aside from a few donations here and there, Mr. Trowbridge has funded this journey through personal savings. He has reached into his own pockets to give new hope to people who lost theirs in

the storm. That goes to show the depth of his selflessness.

Mr. Trowbridge represents the true spirit of giving that we in Wyoming know so well, and I am proud he is sharing that Wyoming sense of community with those affected by Hurricane Katrina. He is an inspiration of hope and generosity, and his effort serves as a testament to what just one man can accomplish when he sets out to make a positive impact on other people's lives.

Mr. Trowbridge is a man of faith and heart, and we can all learn from the example he set. I ask my Senate colleagues to join me in thanking him for all the work he has done and the hope he has brought to Bay Saint Louis, MS.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from Wyoming for bringing to the attention of the Senate the good works of a man who embodies compassion, sacrifice, and service.

A few weeks after Hurricane Katrina hit the Mississippi gulf coast, David Trowbridge of Lingle, WY, traveled with a group of his fellow church members to Bay Saint Louis, MS, to help the victims of this terribly destructive disaster. Because of the extent of the destruction he saw and the enormous challenges that confronted the storm victims, David Trowbridge purchased a motor home and moved to Bay Saint Louis so he could devote full time to the recovery effort.

He helped rebuild properties that had been destroyed or seriously damaged, including housing for other volunteers who needed a place to stay and help. His carpentry skills have been a valuable resource, not only to help rebuild homes but which also enabled him to train hundreds of unskilled volunteers to assist in the rebuilding efforts. These volunteer teams have worked on over 1,400 homes in the communities of Bay Saint Louis and Waveland.

People in Bay Saint Louis refer to David as a fixture of the community. They have praised him as a hero. In fact, he is on a first-name basis at homes and businesses all over town.

The Mississippi gulf coast was devastated by Hurricane Katrina and is still struggling to recover. But were it not for the unselfish, hard work and dedication of David Trowbridge, my State would not be as far along as we are in the recovery process.

Thank you, David Trowbridge.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the Senator from Mississippi for joining me in this tribute today for David Trowbridge. We do this as a reminder that there are still problems that need to be fixed from August 2005. The people down there are very appreciative of the help they get. Of course, we are reminded, as there are tornados hitting all over the United States, that there are people in other parts of the country who need help as well.

It is the American spirit to reach out and help other people. Often it is done without any kind of a call, any kind of notice. People hear about these needs and they show up and they do the work. We need to keep them all in our minds and our prayers and, when we get the opportunity, to give a little bit of special mention of somebody who goes out of their way, takes money out of their own pocket to help out. That is what America is about—people helping people. David Trowbridge is an outstanding example of that.

I thank the Senator from Mississippi, and I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

(The remarks of Mrs. DOLE pertaining to the introduction of S. 3108 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. DOLE. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MENENDEZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I ask unanimous consent to speak for whatever time I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, to review where too many families are today in our great country, we have 324,000 people—324,000 people—who have lost good-paying American jobs just since this January. Just this January, not last January, not the January before or the January before but just in the last few months, 324,000 more Americans—middle-class Americans, working hard every day and trying to keep up with the gas prices, trying to keep up with the mortgage payment, pay for food, send the kids to college, probably having a bigger health care bill—have lost their job and gone, probably, on unemployment compensation to be able to help their family to be able to continue. And, Mr. President, 72,000 of those individuals and families impacted come from my great State of Michigan, with 49,000 jobs having been lost since May, 17,000 of those lost in Michigan since April.

At the same time, we all know gas prices are now at \$4 and going up, foreclosures nationally are over 702,000 homes this year, with over 31,000 of those in Michigan.

All of that is to say that we have a picture now of middle-class Americans, of those who believe in America, who are and who have been working hard every day, who want the American Dream for themselves and their families finding themselves being hit over and over again with one cost after another. Even those who have not lost

their jobs are concerned that they may. Will the plant stay open? Will the employers keep the same number of people on when their costs are going up? Too many people have gone from \$28 an hour to \$14 an hour, or \$30 an hour to \$10 an hour.

What we are seeing across the country is people who are desperately concerned about their ability to keep their standard of living and to remain in the middle class of this country. In many cases they are desperately concerned about simply being able to put food on the table, being able to get the money to put the gas in the gas tank so they can go look for the next job.

With this backdrop—and with millions of Americans saying: What about me? What about my family? What about some kind of action that will help my family, and understand what we are going through right now? With all of that as a backdrop, what we have seen today, once again, is absolutely outrageous. It is absolutely outrageous. Two very important bills were brought forward where we simply asked to be able to proceed to discuss them, and once again the Republican minority has said no. They blocked everything, stopped everything. No. No.

There is no sense of urgency, no sense of urgency about gas prices, no sense of urgency about getting off of foreign oil and energy independence. There is no sense of urgency about what is happening to families every single day.

It is amazing to me, when we look at the numbers. We have in fact had so many Republican filibusters we have to Velcro the chart. In the interests of conservation, in the interests of not having to print up multiple charts a day and waste good old posterboard, we actually have had to Velcro the numbers because they change so much. Twice today—we have now well exceeded what was a 2-year high in previous Senates in the over 200-year history of our great country. We did that last year.

What does that mean? This all sounds like insider process kinds of things—it is just folks talking about partisan politics. The reality is we are talking about whether the Senate is going to be able to move forward to debate issues and solve problems that people care desperately about. They do not care whether this is an election year or not an election year. They don't want excuses. They want us to get something done because they are trying to figure out how in the world they are going to be able to keep things going and make ends meet for their family in this great country we call America.

We have seen 75 different times that there have been filibusters that have been blocking our ability to actually get something done. What was filibustered today? What efforts were made to block us today? First, a very important bill, the Consumer-First Energy Act, to take on what is happening on gas

prices. I know, talking with my family, home this weekend—folks were looking at me, saying: What in the world is going on? What can be done?

We have put together legislation multiple times to address it, short term and long term, as it relates to gas prices which are so outrageously high. But over and over again we are blocked. Why? Because the oil companies do not like it. That is what this is about. Unfortunately, the oil companies do not want to see us move in the direction of being able to tackle issues of whether there is, in fact, price gouging; whether there are in fact issues around speculation; whether we are going to have competition with alternatives to oil. They do not want us to do that. They do not want us to tackle the issue of the tax subsidies they receive.

What we see instead of action, as we could have had today, we see this past week oil prices at \$140 a barrel, almost twice the price from last year. It is almost twice the price from last year, and OPEC says it could be \$200 this year. Think about that when you are trying to get to work, trying to maybe take the kids to camp for that week or maybe trying to go to the grocery store or go looking for work or maybe take mom or dad or the kids to the doctor. We are talking about a huge burden that is building up and up.

Unfortunately, while gas prices now go over \$4 a gallon, we are seeing an effort to, one more time, block common-sense efforts to do something about it for the families of America. Unfortunately, on the other side of the aisle, there has been a desire to make sure that we continue big oil tax breaks rather than addressing what our families need. Last year the big oil companies pocketed \$124 billion in profits. It is fine to make a profit. We want companies to do well, to make a profit. But we also want to make sure when that is happening they are reinvesting in the economy, reinvesting in creating more supply. We want them to be reinvesting in new energy. Unfortunately, that is not happening.

We also want to have tax policy that makes sense in terms of where we want to invest in new technologies. The oil companies are doing pretty well, I suggest, right now. I do not think my tax money or your tax money or the tax money of any of the folks here or any of the folks around the country needs to be used to incentivize big oil, which is exactly what is happening right now.

They are doing pretty well. We have been trying and we have been blocked through Republican filibusters, to take away subsidies, taxpayer subsidies for oil companies and move them over to subsidize new, growing industries, green options, alternative energy—wind, solar, advanced battery technologies, consumer tax credits to buy the next generation of vehicles, the next generation of appliances. Those are the kinds of tax credits that encourage people to focus on energy effi-

ciency and conservation in their homes, those things that will move us in the right direction. That is what we have been trying to do. And we have been blocked.

The bill that was stopped also creates a permanent tax on windfall profits for the major oil companies. If they are not going to invest in America and invest in our future and buy the next airplane or put it into more big bonuses, then we need to have a windfall profits tax that will redirect those dollars back so we can take them and invest in the future.

I see our distinguished leader on the floor and I am going to suspend for a moment, if I might. I know he has some important business he needs to do.

I yield to our leader and ask that I later be recognized to continue my comments.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I appreciate very much my friend from Michigan allowing me to do a little business here on the floor of the Senate. She is such a tremendous Senator. I had the good fortune to be able to be in Michigan this weekend with her and Senator LEVIN. What a team they are. The people of Michigan realize that. It was a wonderful experience, being there with these two Senators.

The State of Michigan has lots of problems. No one articulates it better than Senator STABENOW, talking about what is happening to our country with the loss of manufacturing jobs. Of course, sadly, Michigan is a poster State for what is happening in the loss of manufacturing jobs. This is something we must stop, stop the hemorrhaging of these manufacturing jobs.

I had the good fortune yesterday of meeting with the National Association of Manufacturers. They recognize, although they have been a Republican organization in years past, that they are going to have to start working with us. That doesn't mean they will not keep working with the Republicans—of course they will—but we have to start working together and realize the bad shape of our manufacturing sector.

MOTION TO PROCEED WITHDRAWN—S. 3044

Mr. REID. Mr. President, I withdraw the motion to proceed to S. 3044.

The PRESIDING OFFICER. The motion is withdrawn.

UNANIMOUS-CONSENT REQUEST— S. 3101

Mr. REID. I ask unanimous consent that S. 3101 be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. THUNE. Mr. President, on behalf of the Republican leadership, I object.

The PRESIDING OFFICER. Objection is heard.

MEDICARE IMPROVEMENTS FOR PATIENTS AND PROVIDERS ACT OF 2008—MOTION TO PROCEED

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. 3101, the Medicare Improvements for Patients and Providers Act. This is an act of 2008. I ask we proceed to this on Wednesday, June 11, following the period of morning business.

The PRESIDING OFFICER. Is there objection?

Mr. THUNE. Mr. President, on behalf of the Republican leadership, I object.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Mr. REID. Mr. President, I now move to proceed to S. 3101.

I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 772, S. 3101, the Medicare Improvements for Patients and Providers Act of 2008.

Harry Reid, Max Baucus, Jon Tester, Barbara Boxer, Benjamin L. Cardin, Bernard Sanders, John F. Kerry, Patty Murray, Maria Cantwell, Blanche L. Lincoln, Ken Salazar, Charles E. Schumer, Ron Wyden, Patrick J. Leahy, Jeff Bingaman, Debbie Stabenow, John D. Rockefeller IV, Jack Reed.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I now withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

CONSUMER-FIRST ENERGY ACT OF 2008—MOTION TO PROCEED—Continued

Mr. REID. I move to proceed to S. 3044.

The PRESIDING OFFICER. The motion is pending.

The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, before our leader leaves the floor, I thank him for his patience and tenacity to continue, despite objection after objection, as we try to govern on behalf of the people of this country—whether it be addressing issues of global warming, whether it be gas prices, whether it be what just happened, which is to bring forward a Medicare bill that will stop a large cut to physicians all around the country and affect our ability to have access to health care. It is a bill that includes the ability to focus on rural health care and telehealth and e-prescribing and a number of things that will increase access to health care.

To emphasize what just happened one more time: There was an objection to moving ahead on something that is important to the American people: to expand, under Medicare, health care for communities and our seniors. This goes back to my original point now: 75 Republican filibusters and counting. It is going to continue and continue, unfortunately, because there is not the willingness to work together to get things done.

Let me mention two other issues. I mentioned what is happening in terms of blocking our Consumer-First Energy Act, which focuses on a number of ways to go after price gouging. The bill would stop manipulation by greedy oil traders and give the Attorney General the power to stand up to OPEC nations that are price fixing—a number of different ways for us to immediately address what is happening to gas prices on behalf of the American people. That was blocked.

The second thing that was blocked was the Renewable Energy and Job Creation Act of 2008. This is about jobs. This is about jobs in my great State of Michigan, in New Jersey, all across this country, based on the new green economy—production tax credits to build those wind turbines and solar panels and new vehicles and, again, the consumer tax credits and investing in the ability for businesses that use the R&D tax credit to have that continue, to be able to invest in other economic development tax credits. That is what was blocked—jobs focused on alternative energy.

So we went after the oil companies. No. We want to put forward a proposal that will invest in new jobs. No. That is what we are hearing every day. And every day that is happening, more and more people in my great State are finding themselves without a job, trying to keep the lights on, keep food on the table, trying to be able to put gas in their automobile. And they are looking and saying: What is going on here? Each month, tens of thousands of people across the country, not just in Michigan—I mean, we were hit the hardest first, but this is across the country—are losing their jobs. Hundreds of those are losing unemployment insurance benefits they paid into.

There seems to be a notion that somehow, if someone is required to go on unemployment insurance benefits, they will not look for work. Well, that is about 40 percent of what the average wage is for an individual. You can barely keep things together. In many cases, you cannot keep things together. I would suggest that the unemployment insurance benefit is not a disincentive for folks to work. And obviously people in my State work hard. They work. They work very hard. Too many are working two jobs, three jobs, four jobs, trying to piece it together.

But we have never had an economic situation like we have today under a Republican or Democratic President where there has not been a willingness

in a difficult economic situation to extend unemployment benefits. Yet President Bush has threatened to veto an extension of unemployment insurance which we have already passed here in the Senate.

As I indicated before, the numbers are high—324,000 good-paying American jobs have been lost since January of this year. We also know there are 8.5 million unemployed workers in America competing for 3.7 million jobs. That is why the bill that was blocked earlier that invests in new taxation and new technologies, production tax credits to build new plants, to create new processes, is so important, because right now we have more than twice as many people looking for work as there are jobs available. We as a Democratic majority understand that. We understand that so much of what is happening right now for families goes to the basic foundation of this economy, which is the ability to have a good-paying job and to be able to pay those costs that come at families day after day after day.

In May, the number of Americans who have been out of work for at least 27 weeks—right now, unemployment goes to 26 weeks—rose to 1.6 million workers; 1.6 million middle-class workers as of May who saw their benefits exhausted and in most or many cases were not able to find a job. What happened? What happens to those families? In the past year, 2.75 million people who are unemployed have exhausted their benefits.

American families are running out of time. They want us to take action. There needs to be a sense of urgency about what is going on for families in this country. It is not that we do not have the ability to act; there is not the will to act, not the will to join with us in a bipartisan effort to act. We as Democrats come to the floor every day, our leader comes to the floor every day, multiple times a day, making motions to proceed to solve problems through legislation that is critical for our families. Time after time, all we hear is: I object. I object. I object.

People in Michigan know what the pain of inaction is like and the effort to try to hold it together when help is not there. Over the last year, more than 150,000 people have exhausted their unemployment benefits, over 10,000 people a month now looking for work but do not have the support anymore to at least be able to keep things going a little bit.

But you know it is not just Michigan anymore. Unfortunately, other States are now catching up. We heard as of last Friday that the national unemployment rate is now 5.5 percent. When we first started talking about this, it was 4.9. Now it is up to 5.5, and the experts tell us they expect it will reach 6.5 percent by January. Alaska, California, Rhode Island, Mississippi, Nevada, Missouri, Oregon, South Carolina, Kentucky, and Ohio all have unemployment rates at or above 5.5 percent.

We need to act, not only because it is the right thing to do, the moral thing to do for our families, but we know that for every \$1 that is spent on unemployment benefits in the economy, the dollars turn over and the economy is stimulated by \$1.64. So there is an opportunity to not only do the right thing for Americans, which ought to be enough, but it is also an opportunity to stimulate the economy and one of the top ways we are told it can be stimulated. In other words, for every \$1 we invest to help struggling American families, we get a 64-percent return on our investment. I would take that. That is a deal worth making.

So I close by once again calling on the President to join with us at this critical time in American history where families are being hit in so many different ways and to say yes to extending unemployment benefits for those who are out of work but looking very hard to find a job and are counting on us to do the right thing.

I would love it if we did not have to stand up and change this Velcro anymore. I would love it if we could just frame this right here—75 Republican filibusters—and stop. But that is not what is happening. We can do better than that. Certainly, the people in Michigan expect us to do better than that. I am going to do everything in my power—I know the Chair will as well—to be able to make good on what people are asking of us.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, like a lot of Members of the Senate, I also heard from my constituents last weekend about high energy prices. I do not know how any Member of Congress can go back into their congressional district and their State and not be inundated by people who are very concerned about the impact high fuel prices are having on their pocketbooks and on our economy.

In fact, in my State of South Dakota, the studies bear this out. I think it has a disproportionate impact because it is a rural area. In rural areas, we are very energy dependent. We drive long distances. We are very agriculturally dependent in terms of our economy. Tourism is a big thing in our economy in rural areas. We also, in most cases, have lower incomes relative to the incomes of people in other parts of the country. In fact, there are some studies out that suggest that 15 percent, 16 percent on average of a person's income in a rural area is spent just paying the energy bill. Now, that is something that ought to concern everybody across this country because even though it might disproportionately impact rural areas today, it is clearly going to impact all Americans and continue to impact our economic activities in this country as time goes on if we do not get our arms around these escalating and daily increasing energy costs.

I had someone in my office today who said that he has a small refinery. He

said if the cap-and-trade bill we debated last week had been enacted or passed, immediately they would have seen a 38-cent increase in the price per gallon of gasoline.

There is a proposal to build a powerplant in my State of South Dakota, a coal-fired powerplant. I was visiting with some folks last week in my State who informed me that if, in fact, that cap-and-trade proposal had passed, it would have tripled the cost to construct that powerplant, something that is necessary to provide base load energy for the energy demands and requirements we have in the upper Midwest.

So here we are talking about high energy prices, high fuel prices, and the only solutions our colleagues are putting on the floor are solutions that would actually increase fuel costs. The cap-and-trade proposal last week, by any estimate—and there were 11 studies that were done of the five cap-and-trade proposals put before or introduced in the Senate, one which was put before the Senate last week. All 11 studies concluded that if enacted, that proposal would increase fuel costs, it would increase electricity costs, and it would lead to negative gross domestic product growth. The question was not if, it was how much would it increase costs. By as much as a dollar a gallon for gasoline. There were a number of studies conducted that suggested that it would cost the economy up to \$6 trillion in GDP, negative GDP, as a result of that cap-and-trade proposal.

So here we are on the floor of the Senate. Everyone, I assume, is hearing the same thing I am hearing, when they go back to their respective States, from their constituents: We have high energy prices; we need some action; we need you to do something about that. And everything that has been put before the Senate last week and this week by the Democratic leadership does one thing: increases energy costs.

We had a vote today on an "energy bill." What did it do? It imposed new taxes on energy. That was tried. That was tried back in the 1980s, the windfall profits tax. It led to reduced energy production in this country. The other thing that was talked about today was, well, let's sue OPEC, let's sue OPEC; that will somehow drive down the cost of energy.

There is not anything in any of those proposals that does anything to address the problem because you cannot address this problem, you cannot fix the energy crisis in this country unless you address the issue of supply. There is not anything in any of those bills that have been put forward, that have been put forward by the other side, that addresses the fundamental issue of supply. I believe the American people understand that. They understand full well that you do not raise taxes to get more of something; if you raise taxes, you are going to get less of something. They realize that we cannot just sort of unilaterally decide to sue an oil car-

tel and expect that is going to lead to additional energy supply in this country.

There is one thing and one thing only that we can do to lower gasoline prices for people in this country; that is, increase homegrown domestic energy supplies so that we do not have to rely upon other nations around the world for our energy.

I wish to share a couple of statistics that I think are important in this debate. One is that 60 percent of our oil comes from outside the United States. That means that on any given day we are getting 60 percent of our energy to fuel our automobiles and to keep our economy going from countries around the world, many of which are run by petro-dictators who have nothing but hostile and ill intentions toward the United States. Sixty percent of our oil supply is coming from outside the United States.

We use 140 billion gallons of gasoline every year in this country. I point that out because I want to use that to get to another point; that is, we are generating about 8 billion gallons of renewable energy or ethanol on an annual basis. At the end of this year, we will be generating 1 billion gallons in my State of South Dakota alone. But the studies that have been done have suggested that that 8 billion gallons of ethanol, out of the 140 billion gallons of fuel we use in this country, of gasoline we use in this country, has reduced energy prices by about 15 percent—price per barrel of oil, price per gallon of gasoline reduced by about 15 percent by the contribution that 8 billion gallons of ethanol is making to our overall fuel supply.

In today's gasoline prices, 15 percent would be about 50 cents, 60 cents on the gallon. So we have lower fuel prices today than we would otherwise have as a result of adding to our supply of energy, homegrown energy, through the hard work and production of our farmers across the country who raise the corn that is converted into ethanol.

I suggest perhaps the way to address this problem, if, in fact, 8 billion gallons of ethanol has helped reduce gasoline prices by 50 cents a gallon, maybe what we ought to be doing is looking at ways we can grow additional energy supply. We don't need less biofuels, we need more. We are going to be moving now from corn-based ethanol into cellulosic ethanol that can be made from other forms of biomass. We hope that technology will be progressing quickly enough that it will enable us to meet the targets we have of 36 billion gallons called for in the renewable fuels standard. That is what we are doing in the area of biofuels.

I say that because if we look at what we have in terms of domestic resources, whether that is biofuels or oil, if we could get some of that oil into the pipeline, we could do a lot to impact prices people are paying for a gallon of gasoline. Back in 1995, President Clinton vetoed a bill passed by Congress

that would have allowed for exploration on the North Slope of Alaska. We have somewhere between 6 and 16 billion barrels of oil on the North Slope underneath the ground. With modern technology and in an environmentally friendly way, directional and horizontal drilling, with a minimal imprint on the surface, we can get access to somewhere between 6 and 16 barrels of oil. What does that translate into? That translates into 1 million barrels a day coming into this country—1 million barrels a day. And you figure a barrel translates into 42 gallons, and of that about half can be refined into gasoline, a million barrels a day would translate into about 7 billion gallons of gasoline a year or roughly equivalent to what we are generating in ethanol. And the 8 billion gallons in ethanol is reducing the price of gas by about 50 cents a gallon. So if you do the math, more energy, more supply at the margin is going to lead to lower cost. That is the fundamental economic rule of supply and demand that most people understand.

Any of my constituents in South Dakota, if I went home and told them that the Democratic leadership has put a bill on the floor that is going to allow us to file lawsuits against OPEC or that is going to impose new taxes on oil exploration, a windfall profits tax, they would say: What does that do to affect the law of supply and demand? Get more supply in the marketplace so that we can do something about reducing the price per gallon of gasoline?

This problem gets addressed when America gets serious about domestic energy supplies. We have tried again and again to get a vote on exploration on the North Slope. We have tried again and again to get a vote on deep sea exploration for energy—all of which has been blocked in the Senate.

We have even tried to get legislation moved that would expedite the permitting process for new refineries because we have a shortage of refining capacity. These are all things that we could be doing that would help address the supply problem.

I suggest when we get to what we are focusing on that we can do, there are pieces of legislation on which there is broad agreement. We passed a bill a couple weeks ago that Senators ENSIGN and CANTWELL offered of tax extenders that would help promote more investment in renewable energy. It passed out of the Senate by a vote of 88 to 8, broad bipartisan support. Why are we not focusing on those things we can do rather than spending our time having the Democrats throw out solutions that impose new taxes, new regulations, new bailouts to trial lawyers, which was included in this bill, an earmark for the Senator from New York at \$1.2 billion, all of which we know are not going to pass?

We aren't going to get the votes to get that sort of thing through. But there are things we can be doing, such as extending the production tax credit

for wind, which was included in the Energy bill to which I just referred. Those are the things we ought to be looking at. What can we do to add to the supply of electricity, to add to the supply of fuels so that we don't have to get 60 percent of our energy from outside the United States, so we are actually doing something that will in a positive way impact the price our constituents pay for a gallon of gasoline?

This impact is going to be felt all across the economy. Look at the statistics on airlines. We are using actually less fuel on airlines today, if we look at this green line, than we were going back even to 2000 and 2001. But look at the fuel costs of the airlines. They are exploding. We have airlines facing bankruptcy, making service cutbacks, not serving smaller communities, laying off employees because of high fuel costs. There is no end in sight.

It is \$4 today. What is to stop it from going to \$5? If Ahmadinejad and Chavez decide they want to get \$200 for a barrel of oil, what is to stop them, if we have no leverage? We need to be taking steps in the United States that will increase our domestic supply of energy so we don't have to rely upon those other countries for our energy supply. We have those resources here. We have oil. We have biofuels. We need new refineries. We can build new nuclear plants. All are being blocked.

Let's focus on what we can do to affect the fundamental rule of supply and demand that will lead to lower energy costs, that will increase the amount of energy we have relative to demand. That is how we can impact in a positive way the price our constituents are paying for a gallon of gasoline. Until we get serious about that, all this other stuff done for optics because it is an election year and to gain some political upper hand to go back to a constituency saying, we did this or we are going to beat up the oil companies, raise taxes, regulations and lawsuits and litigation, those sorts of things don't solve the fundamental problem. We don't have enough domestic supply. Until we address that fundamental problem, we will continue to be held over a barrel and be at the mercy of these foreign countries telling us what the price per barrel of oil and price per gallon of gasoline is going to be.

I hope we can focus on that. We have some great solutions. My State is a good example of what we have done with renewables. The Senator from Iowa has a lot of great examples in his State of what we are doing with renewable energy and wind. We have the resources to get this done. It is high time we did it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I congratulate the Senator from South Dakota. He is expressing a very simple law that everybody learns in economics 101: If you increase supply, it reduces

price; if you restrict supply, price goes up. What we want to do is increase the supply of energy.

For myself, I want to explain earlier today my vote to invoke cloture on the motion to proceed to S. 3044, the so-called Consumer-First Energy Act or, another title, the antiprice-gouging bill. I want to explain it because people might think that I am in support of everything in the legislation. I will explain why I wasn't, but why I thought we ought to move forward.

The legislation includes provisions that I have long supported, including the no oil producing and exporting cartels legislation. I am an original cosponsor of the NOPEC bill. This bill would authorize the Department of Justice and the Federal Trade Commission to bring lawsuits against oil cartel members for antitrust violation because it is a fact of American law, if oil companies were doing the price fixing that OPEC countries do, these executives would be in jail. Yet we are faced with the same anticompetitive environment from other countries.

As our gas prices continue to rise, it is time to say enough is enough to OPEC anticompetitive activities. It is past time to let OPEC know that we are committed to stopping illegal pricing, the same illegal pricing that would put CEOs of major oil companies in jail.

This legislation also includes provisions aimed at reducing speculation in oil markets. I support that. I can't say for certain whether the provisions included in the bill will have the desired effect. I can say, however, that something needs to be done to address what seems to be out-of-control speculation in crude oil markets, and speculation of crude oil tends to show up on the business pages of the newspaper as a major cause of the increase in oil and, in turn, gasoline.

I am pleased that recently the Commodity Futures Trading Commission has taken steps in recent days and weeks to increase their access to data and information that will hopefully allow them the proper oversight and transparency of energy markets. Take a little bit of speculation, take a little bit of unknown out of the market, more transparency ought to help our markets work better.

In conjunction with what the Commodity Futures Trading Commission is up to and my wanting to build on what they are doing, I asked Acting Chairman Lukken and Commissioner Chilton very pointed questions during a recent confirmation hearing in the Agriculture Committee on the CFTC's oversight responsibilities. In addition, I sent a letter to the CFTC today seeking more information about the CFTC's action to rein in speculation by investment banks and traders on foreign exchanges.

I voted today as I did in a manner uncustomary of Republicans to proceed to the bill because I think we need to have a debate on the critical issue of

energy prices. However, that doesn't mean I support everything in S. 3044. The bill, for instance, included a windfall profits tax on oil companies. I saw firsthand a couple decades ago the result of a windfall profits tax the last time it was enacted. It didn't do anything to produce more energy. Simple economics: You tax something, you get less of it. Why would those on the other side believe if you tax energy production, you would get more energy produced? Of course, it is counterintuitive. Yet this bill doesn't include a single provision to increase the production or supply of traditional energy resources. Why aren't we considering policies to develop the resources that God gave us at home? We have a huge supply of oil and gas in Alaska. We could be opening areas of the Outer Continental Shelf to exploration. We could be looking at Federal lands onshore for energy production. These are things we could do this very day that would increase supply and drive down prices. Yet they have been blocked time after time by people on the other side.

If you think this is a partisan shot by a senior Republican, let me suggest to you that I can show you rollcall after rollcall after rollcall, not just recently but over a long period, of opposition from the other side to increasing the supply of fossil fuels and the use of fossil fuels we know. My constituents need to know why they are paying \$4 at the gas pump. Yet we in Washington have done little to increase our own supplies.

Speaking from the grassroots of the State of Iowa, I want to remind my colleagues of what I said last week on the floor of the Senate. Of at least 14 out of the 17 town meetings I have had, the question came up very simply: Why aren't we producing more oil? Why aren't we going where the oil exists, with \$4 gas? I can give a simple answer, and I tell the people ahead of time in my town meetings. I try not to make partisan comments, but occasionally I think I can when it is intellectually honest to do it. I suggest to them that there is opposition in the other party to more exploration, where we know there is oil. We just don't have the votes to get the job done.

That could be considered a partisan shot, but I think I can back it up with rollcalls. It is a justification to my constituents when I am asked why we don't drill more where we know there is oil. Most of my constituents expect you to do this in an environmentally sound way as well. That doesn't, to me or my constituents, appear to be incompatible because the United States is dependent upon oil cartels and foreign countries such as Iran and Venezuela, very unstable, yet we have done nothing to help ourselves. That is the way my constituents see it, as evidenced by 14 out of 17 town meetings I held during the week of Memorial Day. In the other three town meetings, it just did not happen to come up.

I believe oil is trading today at around \$135 a barrel. Yet there is an overwhelming aversion to environmentally sound resources developed at home. We ought to be developing our domestic resources. There is no rational reason not to, and at \$4-a-gallon gas, consumers ought to be outraged they are not exploring for more domestic resources, and Congress making decisions to do that, and to do it so quickly that it is telling people why it is not being done. At the grassroots of America, we ought to be having the same march on the Capitol as when people are outraged about other things, which we do not seem to be having this time.

Maybe we will have this outraged expressed. It is a little bit of a quandary to me why, at the grassroots of America, when gas goes from \$3.50 to \$4, or from \$3 to \$4, it does not seem we are having as much outrage as we had when gasoline was going from \$1.50 to \$1.75 about 4 years ago. Maybe it is because people have lost confidence in Congress. I do not know. I can understand why you can lose confidence in Congress when you have \$4 gasoline and we know where there is 13 billion barrels of oil in this part of the country and 7 billion barrels of oil in other areas of the country and we are importing 10 to 15 million barrels of oil a day and paying out to some foreign country money that if we drilled in the United States we would keep in the United States.

The bill I am explaining to you takes billions of dollars of permanent tax provisions and dumps them into a special piggy bank designed to let appropriators dole out special interests checks for their favorite spending projects. I know the rhetoric you have heard today is to make big oil pay to lower the price of gasoline. But I can promise you, there is absolutely nothing in this bill that accomplishes that charge. This bill, flawed as it is, would have to be amended. Any permanent tax provisions on the backs of the energy industry should immediately go back into tax benefits that expand conservation and clean energy tax provisions currently in the Internal Revenue Code.

We cannot put the cart before the horse. It is irresponsible to change taxes for future undisclosed spending. It is even more irresponsible to do this before we make certain the current tax benefits available for wind, solar, alternative fuels, and much needed conservation in buildings and homes.

It was wrong for the Democratic leadership to dump permanent tax provisions into a slush fund for future appropriations. But those types of wrongs cannot be fixed if we never proceed to the bill, hence why this Senator voted as I did today, contrary to what a lot of the members of my party did.

HOUSE EXTENDERS BILL

I turn now to the tax extenders bill. I voted today on the second rollcall along with 43 other Senators against invoking cloture on the motion to pro-

ceed to H.R. 6049, the House extenders bill.

Earlier today, the Democrat leadership released a description of a substitute extenders bill that included many provisions that were not extenders.

As you know, I joined Senator MCCONNELL in filing an extenders bill last Friday that is not offset by increases in taxes elsewhere because it is our policy that if you extend existing tax policy, you should not have to raise taxes on somebody else for an extension of tax policies that in some instances have been in place for 20 years.

Here are some of the reasons, then, why I opposed the Democratic leadership bill and support the Republican leadership bill.

The Senate Democratic leadership bill contains numerous provisions that do not either extend or make permanent expiring tax provisions. On the other hand, the Republican bill really is an extenders bill, with all the provisions in the Senate bill extending or making permanent expiring tax provisions.

Included in the Senate Democratic leadership bill is a proposal to give \$1.2 billion in tax credits to New York City, even though New York City does not pay Federal tax. This proposal is widely reported to fund the building of a train from Manhattan to John F. Kennedy Airport, through the use of New York Liberty Zone tax credits.

According to the Joint Committee on Taxation, the Congress has never—and I want to emphasize “never”—before provided a limited tax benefit such as this to a governmental unit.

In addition, the bill provides a new \$1.6 billion tax benefit just for trial lawyers. Now, think about that. We are trying to extend tax policy to bring economic development and create jobs, and it has something in it for trial lawyers. It allows trial lawyers to deduct their upfront expenses in contingency fee cases, even though they expect to recover them when they win or settle the case. And these trial lawyers do expect to win or settle their case; otherwise, they would not take the case on a contingency fee basis.

So why should trial lawyers get a deduction for something they expect to get back? We do not give lenders a current deduction when they make a loan. Some would argue that this is a large chunk of pork that the Democratic leadership bill is trying to feed to trial lawyers.

The Democratic leadership bill, for the first time in history, makes tax benefits directly conditioned on the Davis-Bacon Act. That is the prevailing wage requirement. It is added to a new provision called the New Clean Renewable Energy Bonds.

The Senate Democratic leadership bill only extends provisions that expire at the end of 2007 until the end of 2008, setting up another extenders fire drill early next year. In contrast, our bill on the Republican side generally extends

provisions that expired at the end of 2007 until the end of 2009.

The Democratic leadership bill contains permanent tax provisions to offset temporary extensions of current law. Anonymous Democratic lobbyists are misstating the Republican position on offsetting expiring tax relief provisions. The lobbyists have been quoted in the Roll Call newspaper and other publications stating that part of the Republican theology is opposition to offsets.

Republicans will support offsets if they make sense on the policy merits. If the revenue-raising proposals make policy sense and offset the revenue loss for new tax policy—I want to emphasize “new tax policy” as opposed to extending existing tax policy—then it will likely garner majority support among Senate Republicans.

However, one of the revenue raisers in the Democratic leadership bill is a proposal to delay the effective date of the worldwide interest allocation rules. This provision was enacted in the American Jobs Creation Act of 2004, with a delayed effective date for revenue purposes.

The decision to reform the interest allocation rules was bipartisan back then in 2004. The reform came out of the Finance Committee working group set up by Chairman BAUCUS in 2002 and passed the full Senate by a vote of 92 to 5. So after a vote of 92 to 5—bipartisan—why would they try to undo a very important provision in it? The current rules actually penalize domestic manufacturers who compete in global markets by making it more likely they will be double taxed on their foreign income.

The Senate Democratic leadership bill would delay the effective date even further—can you believe it—by 9 years, giving it an effective date of 2018. This provision raises almost \$29 billion over 10 years.

The President of the United States, aware of how important this provision is that is going to take effect in 2009—that was actually passed in 2004 to make our manufacturing competitive with international competition—issued a statement of administration policy noting that “the Administration strongly opposes the provision in the bill that would subject U.S. companies to continued double taxation by delaying the effect of new rules for allocating worldwide interest for foreign tax credit purposes.”

Let's look at the Senate Republican alternative. I hope people listening know that a minority in the Senate has a responsibility to have alternatives, not just jab at the majority position. So we have this responsible alternative. It contains alternative minimum tax relief and extensions of individual and business tax provisions, but with no offsets, following the philosophy we have that if you have had tax policy in place for decades that tends to sunset from time to time—it has been on the books—you should not

have to raise taxes on new people to extend it for a few more years. So there are no offsets for the continuation of existing tax policy.

It also includes the Ensign-Cantwell energy tax incentives, an unoffset provision which was approved by the Senate by a vote of 88 to 8. This means an overwhelming majority of this body were willing to pass energy extenders without requiring offsets.

So why, if we have a vote of 88 to 8 to extend energy tax credits for a few years, and we do not have to offset it—how does the other side get the idea that if you had other tax policies that maybe have been on the books for decades and sunset, you have to have offsets for that? I do not understand the inconsistency.

The bottom line is, we need a package that can garner 60 votes in the Senate and get a signature by the President of the United States. So Senate Republicans will seek to proceed to the Senate Republican leadership bill which contains a package of proposals that have bipartisan agreement.

Mr. President, I yield the floor, and since I do not see other Members ready to speak, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, this morning we had two more opportunities to address rising gas prices and do something immediately as the price of gas per gallon goes over \$4 in Steubenville and almost \$4 in Dayton and even higher in some places in my State and in the Presiding Officer's State of New Jersey. We had two more opportunities to address rising gas prices immediately and longer term.

We need to start immediately to invest in renewable energy rather than the other choice of continuing to line the pockets of big oil. We could have helped to begin to create tens of thousands of good-paying, green-collar jobs right here at home. Once again, the Bush administration opposed our efforts and Republican Senators joined the Bush administration and refused to put middle-class families first.

The Consumer-First Energy Act is a good first step in providing immediate relief to drivers in Ohio and across the land who are faced with soaring gasoline and diesel prices.

The other night I had a conference call with 20 truckers. Think about what this has done to them. Many of them have had to sell their trucks. They are simply not able to afford the \$4.50 and up per gallon price of diesel. Oil prices are setting record highs, it seems, every week, and yesterday closed at over \$136 a barrel.

This legislation will help in the short term and allow us to get through and

offer some assistance to motorists to get through the summer driving season. The policies that created this gas price crisis didn't happen overnight. Before we attack the long-term problems, Ohioans need help now to get through the summer to keep trucks running, to keep the economy moving, to keep food prices in check as the cost of energy ripples through the whole economy and causes prices to go up generally.

Cities throughout Ohio are struggling to pay gas bills for the police cars, for EMS, for fire department vehicles, school buses, garbage trucks, and mass transit services.

We need to roll back the massive tax breaks for oil companies which would generate more than \$17 billion to be used for green energy, for renewable energy, and for energy efficiency. We will impose a 25-percent windfall profits tax on companies that fail to invest in increased capacity and renewable energy sources. We will ensure purchases for the Strategic Petroleum Reserve do not resume, especially when we are paying \$120, \$130, \$140, \$150 a barrel to put oil in the reserve. We will provide protection for consumers from price gouging. We call on the Justice Department again to be active and take on the oil companies as they seem to price gouge. We will work to stop market speculation, prevent traders of U.S. crude oil from routing transmissions through offshore markets to evade speculative limits.

Ohioans play by the rules. Americans play by the rules. So should the oil industry. So should the speculator. So should Wall Street.

There is so much we need to do. I call on my friends on that side of the aisle to join with majority Democrats: no more filibusters and let's get to work. Let's do the right thing short term to help American motorists deal with these outrageously high prices, long term to, in fact, after 30 years become energy independent and create the kinds of green jobs a good energy policy can create.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL HUNGER AWARENESS DAY

Mr. DURBIN. Mr. President, I rise today in honor of National Hunger

Awareness Day. On this day, we focus on the more than 35 million people in the United States without enough to eat and reassert our commitment to assist those in need.

Millions of families live each day not knowing if they will have enough to eat. Rather than thinking about what the next meal will be, these parents worry if there will be a next meal. Rather than concentrate on homework, these children are trying not to think about their hunger pangs. In a nation as economically wealthy and agriculturally abundant as ours, this is inexcusable. If children—or adults—are hungry in America, that is a problem for all of us.

This administration has seen the number of people living in poverty rise from 31.6 million in 2000 to 36.5 million in 2006. The number of people living in households facing food insecurity rose from 31 million in 1999 to 35.5 million in 2006. In Illinois, over 158,000 households experienced hunger in 2005. If we include households that have had to struggle to put food on the table or have had to skip meals to make sure the food would last through the week, it adds up to 500,000 households in Illinois living with food insecurity. These are working families who just aren't able to make ends meet.

At a time when millions of middle class Americans are struggling to keep up with higher gas prices, grocery bills, and health care costs, more and more families are looking to Federal programs for assistance. According to the U.S. Department of Agriculture, applications for food stamps are on the rise at the same time recipients are making more frequent use of food pantries to fill gaps in their grocery needs. Over 26 million people nationwide are dependent on the Federal Food Stamp Program. In April, 594,590 families in Illinois received food stamps, an increase of 5.84 percent from last year and the highest level ever in Illinois, equating to 1.3 million people. And since December, participation in the Women, Infants and Children, or WIC, food assistance program has increased 4 percent to a total of 296,000. But for the millions of people who don't have assistance, everything is different.

We know hunger is a reality in our communities. We see long lines at our food pantries. We have heard from seniors forced to choose between groceries and medication. And children are in our schools who have not had a decent meal since the previous day's school lunch. We see families showing up a day earlier than normal at the food pantry because the monthly pay is not stretching as far it once did. Parents are giving up their own meal to make sure their child has something to eat at night.

In the Nation that prides itself as the land of plenty, we cannot hide the fact that we need to do a better job at making sure everybody has at least enough to eat. The passage of this year's farm bill is a strong first step toward better

addressing hunger in our country. The farm bill provides 10 billion additional dollars over 10 years for domestic nutrition programs that help lower income families put food on the table, including \$7.8 billion for the Food Stamp Program, \$1.25 billion for the Emergency Food Assistance Program, and \$1 billion for the fresh fruits and vegetables snack program. In Illinois, over the next 10 years, this bill will provide \$373 million in additional funding to help families that haven't been able to outrun hunger.

But with one hungry person in our Nation, hunger will be a problem for all of us. I hope that we will continue to work together to fulfill our duty to end hunger in our Nation and the world.

Mrs. LINCOLN. Mr. President, I rise today to bring to my colleagues' attention the fact that today, June 10, 2008, is National Hunger Awareness Day.

As a founder of the bipartisan Senate Hunger caucus and an original cosponsor of the legislation establishing this commemoration, I believe hunger is an issue that deserves our full attention.

For the past 4 years, my fellow caucus cochairmen Senator SMITH, Senator DOLE, as well as Senator DURBIN and I have executed a food drive in our Senate offices with donations helping those in need in the Washington area. The collection began last month and culminates today National Hunger Awareness Day when we donate the collected goods to needy organizations.

I have worked with my Senate colleagues to draw attention to this issue because hunger and poverty are not just global issues they are so pervasive that we all have some experience with them in our local communities.

Worldwide, 3 billion people—nearly half the world's population—live on merely \$2 per day. In our Nation alone, almost 35.5 million Americans struggle day in and day out to find adequate nutritious food. More than 13 million children live in households that are food insecure.

According to the Arkansas Hunger Relief Alliance in my home State, approximately 80 percent of supplemental nutrition assistance goes to households with children, many of them in working families, including military families. Older Americans and those with disabilities also depend on these benefits. Every month, nutrition assistance programs enable almost 385,000 Arkansans 13.7 percent of my State's population to purchase groceries for themselves and their families.

As a member of the Senate Agriculture, Nutrition, and Forestry Committee, I worked to address this issue in the recently passed Food, Conservation, and Energy Act of 2008, and I am proud the bill aims to reduce food insecurity among our children and our elderly, and others in need. This bill commits \$10.36 billion to continue the fight against hunger. It represents the largest amount of funding for nutrition programs in our Nation's history. One billion dollars is allocated to the Fresh

Fruit and Vegetable Program, which provides free fresh fruits and vegetables to low-income children in schools nationwide. It also expands the senior farmers' market program by \$50 million to help them purchase fresh food at places like farmers' markets and roadside stands throughout the country.

In the coming weeks and months, I encourage my colleagues to become more aware, more educated, and more informed about the effects of hunger and poverty and to find out what impact you can have in your State and in your community. Government cannot do it alone, though.

It has been said: To those to whom much is given, much is required. We must continue to work together to devote our time and resources to organizations in our communities committed to this cause and develop public/private partnerships to combat food insecurity in this country. Hunger is a disease that has a cure. It is our responsibility to strive hard each and every day to eliminate hunger in our country and around the world.

SOMALIA

Mr. ISAKSON. Mr. President, on May 21, 2008, the Senate passed by unanimous consent S. Res. 541, a resolution on Somalia introduced by Senator FEINGOLD. As the new ranking member of the Senate Foreign Relations Subcommittee on African Affairs, I wholeheartedly support bringing about change in Somalia to allow for a viable government that will benefit the people of Somalia as well as the entire region.

The United States has a critical interest in establishing a secure and stable government and society in Somalia. I support the U.S. strategy in Somalia and believe that the only way to stabilize the country is through political reform, humanitarian assistance, deployment of African Union forces, and to keep terrorists from seeking refuge in Somalia. It is important that the Senate recognize that it is in the interest of the United States, as well as the entire region, that the sustainable peace in Somalia we seek create a government that does not threaten or seek to destabilize its neighbors or provide safe haven to known terrorists that are a threat to the U.S. and the Horn of Africa.

I also wish to emphasize that it is equally important that the Senate take great care in calling for a timeline for the withdrawal of Ethiopia's troops from Somalia. The resolution calls on Ethiopia to develop a timeline for the "responsible" withdrawal of its armed forces from Somalia. I believe Ethiopia to be in full agreement with this language and would like to withdraw its forces as soon as possible; however, a "responsible withdrawal" requires a replacement to maintain peace and stability and to stop terrorism. I would urge the

African Union to continue sending peacekeeping forces to Somalia so that the Ethiopian forces can withdraw.

Furthermore, I strongly support all efforts that help convince Eritrea to play a constructive role in helping to bring about a stable Somalia. I urge the African Union, the United Nations and other peacekeeping groups in the region to pressure Eritrea to work with its regional partners to bring about peace and stability in Somalia.

CLIMATE SECURITY ACT

Mr. LIEBERMAN. Mr. President, I rise to respond to a statement that Senator PRYOR made on Friday, June 6. On that day, Senator PRYOR rose to express his support for the basic approach that the Lieberman-Warner Climate Security Act takes to reducing emissions of certain greenhouse gases called hydrofluorocarbons, or HFCs. Senator PRYOR praised our decision, in crafting the Climate Security Act, to subject HFCs to a separate cap-and-trade system rather than including them under the same cap with less potent greenhouse gases such as carbon dioxide. He expressed his hope that the initial level and reduction rate of the HFC cap could be revised before the bill becomes law. I welcome Senator PRYOR's focus on the Climate Security Act's HFC provisions, and I would like to work with him on that portion of the bill as it moves through the legislative process. I remain interested in increasing the specificity of those provisions while simultaneously expanding the area of consensus among manufacturers of HFCs, distributors of HFCs, manufacturers of equipment that uses HFCs, and the environmental community.

REMEMBERING CONGRESSMAN LIONEL VAN DEERLIN

Mrs. BOXER. Mr. President, I am honored to remember former Member of the House of Representatives Lionel Van Deerlin, who passed away on May 18, 2008, at the age of 93.

Lionel Van Deerlin, affectionately known as "Van," served in Congress for over 18 years, representing San Diego. His legislative legacy includes a key role in revising the Federal laws to permit California to set tougher emission standards than the rest of the Nation. As chairman of the House Subcommittee on Communications, he actively worked to update the 1934 Federal Communications Act in order to keep up with changing technologies. A leader in ethics, he was among the first congressional leaders to voluntarily disclose his personal finances.

Lionel was born in Los Angeles, CA, on July 25, 1914, and grew up in north San Diego County. He attended the University of Southern California, where he was editor of the *Daily Trojan*, and graduated in 1937. After graduation, he worked in journalism until World War II. Lionel honorably served

our Nation in the U.S. Army, returning to journalism and San Diego after the war.

A gentleman, a statesman, and a friend to all, Van earned the respect of his colleagues on both sides of the aisle. He tirelessly worked on behalf of the people of San Diego. His legacy is substantial in San Diego—he helped to establish the Naval Medical Center San Diego as well as a Veterans' Administration hospital. Lionel's spirit continues in the generations of leaders he mentored and counseled.

After leaving Congress in 1981, Van returned to journalism as a political columnist, first for the San Diego Tribune and later for the Union-Tribune. His columns, which were eagerly read by San Diegans regardless of political party, were remarkable for the clarity and common sense they brought to the political process. As a writer, his chief targets were hypocrisy and vested interests, while his chief passions were American participatory democracy and the San Diego region he knew and served so well.

Van is survived by three daughters: Mary Susan, Victoria, and Elizabeth Louise; two sons: Jeff and John; and four grandchildren.

Our country has lost a remarkable public servant and tutor with the passing of Lionel Van Deerlin. His contributions to the people of San Diego, the State of California, and our Nation should be remembered.

LITIGATION COST DEDUCTIONS

Mr. SPECTER. Mr. President, on March 8, 2007, I introduced S. 814. The bill has nine cosponsors: Senators GRAHAM, SMITH, CRAPO, MARTINEZ, LANDRIEU, WYDEN, LEAHY, SALAZAR, and STABENOW. It was included in the energy/business tax extenders package, on which a vote on the motion to proceed failed today.

S. 814, would allow attorneys to deduct reimbursable court costs and expenses—expert witness fees, copying and transcription costs, travel expenses—in the same tax period in which they are paid or incurred. For attorneys paid on a contingency fee basis, the Internal Revenue Service treats these expenditures as “loans” that may be repaid from any award or settlement at the end of the case. For this reason, currently most attorneys may take a deduction only in the same period he recognizes the income from the award—which may be years after the attorney has paid the expense/cost. This is a burden on, and often unfair to, solo practitioners and attorneys in small firms who may have to assume costly loans because they do not have the resources to carry these expenses for multiple years.

In addition, the tax treatment of these expenses is not uniform in all jurisdictions—as some courts have disagreed with the IRS on the current treatment. This is another reason the current rule is unfair and should be changed. Finally, I note that the IRS interpretation is based on State legal

ethics rules about advances to clients that have since been changed.

I voted against cloture on the motion to proceed even though I obviously support S. 814, and although I also support the tax extenders that expired at the end of 2007—including the R&D tax credit, teacher expenses deduction, tuition deduction, and accelerated depreciation for leasehold and restaurant improvements. I also support some tax extenders that are set to expire at the end of 2008—including renewable energy tax incentives.

The main sticking point between Democrats and Republicans is whether temporary extensions of tax relief should be offset with permanent tax increases elsewhere. On April 23, 2008, I, along with 40 other Republicans, wrote to Finance Chairman BAUCUS to support “enacting a 2008 AMT patch and extending the various expiring tax provision without offsetting tax increases.”

The vote was a demonstration by Republicans that they have numbers and that they need to be included in the process of drafting the bill. Republican leadership had no expectation that any Republican amendments would be allowed because of Leader REID's standard operating procedure of filling the tree and filing cloture.

I am told that the leadership on both sides and the chairman and ranking member of Finance will now sit down to discuss the next steps. I think this is a positive development and I will encourage the inclusion in a bipartisan bill of the proposed amendment to the Internal Revenue Code that is embodied in S. 814.

REQUEST TO BE NOTIFIED

Mr. GRASSLEY. Mr. President, I would like to inform my colleagues that I have requested to be notified of any unanimous consent agreement before the Senate proceeds to the consideration of any legislation that amends the Immigration and Nationality Act. I intend to reserve my right to object to any such request unless legislation to reauthorize the E-verify program run by the Department of Homeland Security is included.

Last week, I introduced legislation to permanently extend the employment verification program, which was created in 1996. This program has been a valuable asset for more than 69,000 employers across the country that want to comply with our immigration laws. This program needs to be reauthorized this year. For that reason, I have asked the minority leader to consult me before any unanimous consent agreement on immigration legislation is considered.

COLLAPSE OF THE MIDDLE CLASS

Mr. SANDERS. Mr. President, I ask unanimous consent to have printed in the RECORD “Letters from Vermont and America.”

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE COLLAPSE OF THE MIDDLE CLASS

LETTERS FROM VERMONT AND AMERICA

Dear Friend, As gas and oil prices soared and as the nation slipped into recession, I made a request to Vermonters on my e-mail list. I asked them to tell me what was going on in their lives economically. That was it. Frankly, I expected a few dozen replies. I was amazed, therefore, when my office received over 600 responses from all across the State, as well as some from other states. This small booklet contains a few of those letters.

It is one thing to read dry economic statistics which describe the collapse of the American middle class. It is another thing to understand, in flesh and blood terms, what that means in the lives of ordinary Americans. Yes, since George W. Bush has been in office 5 million Americans have slipped into poverty, 8 million have lost their health insurance and 3 million have lost their pensions. Yes, in the last 7 years median household income for working-age Americans has declined by \$2,500. Yes, our country, for the first time since the Great Depression, now has a zero personal savings rate and, all across the Nation, emergency food shelves are being flooded with working families whose inadequate wages prevent them from feeding their families.

Statistics are one thing, however, and real life is another. The responses that I received describe the decline of the American middle class from the perspective of those people who are living that decline. They speak about families who, not long ago, thought they were economically secure, but now find themselves sinking into desperation and hopelessness.

These e-mails tell the stories of working families unable to keep their homes warm in the winter; workers worried about whether they'll be able to fill their gas tank to get to their jobs; and seniors, who spent their entire lives working, now wondering how they'll survive in old age. They describe the pain and disappointments that parents feel as they are unable to save money for their kids' college education, and the dread of people who live without health insurance.

In order to try and break through the complacency and isolation inside the Washington Beltway, I have read some of these stories on the floor of the Senate. It is imperative that Congress and the corporate media understand the painful reality facing the middle class today so that we can develop the appropriate public policy to address this crisis. We must expand low income home heating assistance, stop oil profiteering and price gouging, and support programs that address the growing crisis of hunger in America. The National Priorities Act (S. 818) that I introduced in this session of Congress is one example of legislation that would address the growing crisis.

Let me conclude by thanking all of those people who have so kindly shared their lives with me through these letters. I know that for many of you this was not an easy thing to do.

BERNIE SANDERS,
United States Senator.

Here are letters from two mothers in Vermont. The first is from a woman in rural area; the second is a single mother in a small city.

We have at times had to choose between baby food and heating fuel.

My husband and I have lived in Vermont our whole lives. We have two small children (a baby and a toddler) and felt fortunate to own our own house and land but due to the increasing fuel prices we have at times had to choose between baby food/diapers and

heating fuel. We've run out of heating fuel three times so far and the baby has ended up in the hospital with pneumonia two of the times. We try to keep the kids warm with an electric space heater on those nights, but that just doesn't do the trick.

My husband does what he can just to scrape enough money for car fuel each week and we've gone from three vehicles to one just to try and get by without going further into debt. We were going to sell the house and rent, but the rent around here is higher than what we pay for our monthly mortgage and property taxes combined. Please help.

By February we ran out of wood and I burned my mother's dining room furniture.

I am a single mother with a 9 year old boy. We lived this past winter without any heat at all. Fortunately someone gave me an old wood stove. I had to hook it up to an old/un-used chimney we had in the kitchen. I couldn't even afford a chimney liner (the price of liners went up with the price of fuel). To stay warm at night my son and I would pull off all the pillows from the couch and pile them on the kitchen floor. I'd hang a blanket from the kitchen doorway and we'd sleep right there on the floor. By February we ran out of wood and I burned my mother's dining room furniture. I have no oil for hot water. We boil our water on the stove and pour it in the tub. I'd like to order one of your flags and hang it upside down at the capital building...we are certainly a country in distress.

These two letters describe the pressures faced by Vermonters on family life.

Not spending those 10 hours at home with my husband and son makes a big difference for all of us . . .

As a couple with one child, earning about \$55,000/year, we have been able to eat out a bit, buy groceries and health insurance, contribute to our retirement funds and live a relatively comfortable life financially. We've never accumulated a lot of savings, but our bills were always paid on time and we never had any interest on our credit card.

Over the last year, even though we've tightened our belts (not eating out much, watching purchases at the grocery store, not buying "extras" like a new TV, repairing the washer instead of buying a new one...), and we find ourselves with over \$7,000 of credit card debt and trying to figure out how to pay for braces for our son.

I work 50 hours per week to help earn extra money to catch up, but that also takes a toll on the family life—not spending those 10 hours at home with my husband and son makes a big difference for all of us. My husband hasn't had a raise in 3 years, and his employer is looking to cut out any extra benefits they can to lower their expenses, which will increase ours.

I want to drop everything I am doing and go visit him.

My 90-year-old father in Connecticut has recently become ill and asked me to visit him. I want to drop everything I am doing and go visit him, however, I am finding it hard to save enough money to add to the extra gas I'll need to get there. I am self-employed, with my own commercial cleaning service and money is tight, not only with gas prices, but with everything. I make more than I did a year ago and I don't have enough to pay my property taxes this quarter for the first time in many years. They are due tomorrow.

These letters speak of retirement. One is from an older Vermont couple who recently stopped working; the second is from a woman in a small town in Vermont who is thinking about the future she and her husband face.

We also only eat two meals a day to conserve.

My husband and I are retired and 65. We would have liked to have worked longer but because of injuries caused at work and the closing of our factory to go to Canada, we chose to retire earlier.

Now with oil prices the way they are we cannot afford to heat our home unless my husband cuts and splits wood, which is a real hardship as he has had his back fused and should not be working most of the day to keep up with the wood. Not only that he has to get up two or three times each night to keep the fire going.

We also have a 2003 car that we only get to drive to get groceries or go to the doctor or to visit my mother in the nursing home three miles away. It now costs us \$80.00 a month to go nowhere. We have 42,000 miles on a 5 year old car.

I have Medicare but I can't afford prescription coverage unless I take my money out of an annuity, which is supposed to cover the house payment when my husband's pension is gone.

We also only eat two meals a day to conserve.

My husband and I are very nervous about what will happen to us when we are old.

Yesterday I paid for our latest home heating fuel delivery: \$1,100. I also paid my \$2,000+ credit-card balance, much of which bought gas and groceries for the month.

My husband and I are very nervous about what will happen to us when we are old. Although we have three jobs between us and participate in 403B retirement plans, we have not saved enough for a realistic post-work life if we survive to our life expectancy. As we approach the traditional retirement age, we are slowly paying off our daughter's college tuition loan and trying to keep our heads above water.

We have always lived frugally. We buy used cars and store brand groceries, recycle everything, walk or carpool when possible and plastic our windows each fall. Even so, if when our son decides to attend college, we will be in deep debt at age 65.

P.S. Please don't use my name. I live in a small town, and this is so embarrassing.

These letters speak about the emotional consequences of the current economic situation and are from a man who lives in a small town near the New Hampshire border, and from a woman who lives in central Vermont.

The pennies have all but dried up . . . Today I am sad, broken, and very discouraged.

I, too, have been struggling to overcome the increasing costs of gas, heating oil, food, taxes, etc. I have to say that this is the toughest year, financially, that I have ever experienced in my 41 years on this earth. I have what used to be considered a decent job, I work hard, pinch my pennies, but the pennies have all but dried up. I am thankful that my employer understands that many of us cannot afford to drive to work 5 days a week. Instead, I work three 15-hour days. I have taken odd jobs to try to make ends meet.

This winter, after keeping the heat just high enough to keep my pipes from bursting (the bedrooms are not heated and never got above 30 degrees) I began selling off my woodworking tools, snowblower, (pennies on the dollar) and furniture that had been handed down in my family from the early 1800s, just to keep the heat on.

Today I am sad, broken, and very discouraged. I am thankful that the winter cold is behind us for a while, but now gas prices are rising yet again. I just can't keep up.

I don't go to church many Sundays, because the gasoline is too expensive to drive there.

As a single parent, I am struggling every day to put food on the table. Our clothes all

come from thrift stores. I have a 5-year-old car that needs work. My son is gifted and talented. I tried to sell my house to enroll him in a school that had curriculum available for his special needs. After 2 years on the market, my house never sold. The property taxes have nearly doubled in 10 years and the oil to heat it is prohibitive. To meet the needs of my son, I have left the house sit and moved into an apartment near his high school. I don't go to church many Sundays, because the gasoline is too expensive to drive there. Every thought of an activity is dependent on the cost. I can only purchase food from dented can stores . . . I am stretched to the breaking point with no help in sight.

More descriptions of what it feels like to be caught in the American economy of the early years of the 21st century. These letters are from a man in north central Vermont and from a man in rural Pennsylvania.

At the rate we are going we will be destitute in just a few years.

Due to illness my ability to work has been severely limited. I am making \$10 an hour and if I am lucky I get 35 hours a week of work. At this time I am only getting 20 hours as it is "off season" in Stowe. It does not take a mathematician to do the figures. How are my wife and I supposed to live on a monthly take-home income of less than \$800? We do it by spending our hard earned retirement savings. I am 50 and my wife is 49. At the rate we are going we will be destitute in just a few years. The situation is so dire that it is all I can think about.

Soon I will have to start walking to work, an 8-mile round trip because the price of energy is so high it is that or go without heat.

As bad as our situation is, I know many in worse shape. We try to donate food when we do our weekly shopping but now we are not able to even afford to help our neighbors eat. What has this country come to?

I am just tired . . . I work 12 to 14 hours daily and it just doesn't help.

I am 55 years old and worse off than my adult children. I have worked since age 16. I don't live from paycheck to paycheck, I live day to day. I can only afford to fill my gas tank on my payday thereafter, I put \$5, \$10 whatever that I can. I cannot afford to buy the food items that I would. I am riding around daily to and from work with a quarter of a tank of gas. This is very scary as I can see myself working until the day that I die. I do not have a savings, no credit cards and my only resources are thru my employment. I have to drive to work as there are no buses from my residence to work. I don't know how much longer I can do this. . . . I am concerned as gas prices climb daily. I am just tired, the harder that I work the harder it gets, I work 12 to 14 hours daily and it just doesn't help.

Two women, the first from the Northeast Kingdom of Vermont, the second from a small city in Vermont, write about their situation and their fears.

Now we find that instead of a feeling of comfort, we have a feeling of dread.

I live in the beautiful Northeast Kingdom. There are only a handful of decent jobs available, and the wages everywhere else are not very good. My husband and I have done what we had to in order to survive and to make a decent life for our two children, aged 7 and 4. He has worked steadily at a local plant for 15 years, and I have worked part-time in order to pay the bills without having to rely on daycare. We live a modest life and do not live beyond our means. We have no flat-screen TV, no cell phones, no iPods, and have only one vehicle payment. We thought that finally, maybe, we would be able to get ahead.

Now we find that instead of a feeling of comfort, we have a feeling of dread. It seems like every time we do the right thing and try to move ahead for our family, something out of our control happens in order to slap us back down. I have always been a big pusher of "if you can do something to change your situation, do it." Now, even though we are doing everything right, my husband and I find ourselves extremely worried about this winter. I have no answers as to how to make the oil prices lower.

My husband and I have tried, again, to do the right things by limiting our driving and by setting the heat at 68 degrees all winter. We even had our home made as energy efficient as possible, yet we now find ourselves unsure if we will be able to pay for both the mortgage and our oil next winter.

Some nights we eat cereal and toast for dinner because that's all I have.

I am a working mother of two young children. I currently pay on average around \$80.00 a week for gas so that I can go to work. I see the effects of the gas increase at the grocery stores and at the department stores. On average I spend around \$150.00 per week at the grocery store and trust me when I say I don't buy prime rib—I buy just enough to get us through the week and I can't afford to make sure we have seven wholesome meals to eat every night of the week—some nights we eat cereal and toast for dinner because that's all I have. My family has had to cancel our annual trip to the zoo, and we make less trips to see our families in another town due to the increase of gas. The price of gas has created a hardship for most average Americans. We have less money to pay to living expenses which have also increased. It seems as if it's just a rippling effect. I am really scared of what the future holds for me and my kids because I just simply cannot afford to live from day to day. I am getting further and further in credit card debt just trying to stay afloat.

Some letters are from people who work in health care and report on what is happening in their towns. The first of these is from a small town in north-central Vermont; the second is from a small town in the state of Washington.

Insurance costs continue to rise causing some to forgo insurance to pay for gasoline, heating fuel and groceries.

As the chief of a small ambulance service, I have seen the impact of rising costs.

As a service made up of primarily volunteers, we have seen our numbers decline. When soliciting for volunteers from the community, we have been told that they are unable to put the time in due to the need to work more just to pay their bills.

Our costs associated with running an ambulance have also risen in the last few years. When discussing with our suppliers, fuel prices play a large part in the increase—both to manufacture and to transport.

We are hearing from more and more Vermonters that insurance costs continue to rise causing some to forgo insurance to pay for gasoline, heating fuel and groceries.

In speaking with other ambulance services both volunteer and paid, most including ours, are delaying purchases on major equipment such as ambulance replacements, due to limited funding. This means we have older equipment, and higher maintenance costs.

Dentistry is expensive and people are opting not to come to the dentist.

I live in Washington. I drive about 10 miles to work every day. I drive an eight-year-old car that gets about 25 miles per gallon. My husband is a contractor and drives a small pickup truck that gets very poor mileage. Together I have estimated that we spend

about \$300 a month on gas. This has a tremendous effect on our budget. We are watching every penny we spend.

I work in a dental clinic that is also seeing a slowdown. Dentistry is expensive and people are opting not to come to the dentist or not getting the optimal dentistry they need. I spoke to the medical doctor across the hall from our office. He was telling us that they too have seen a slowdown in their practice. People are forgoing a trip to the doctor to save money. One of my patients told me a story yesterday about a food bank in town that is finding it difficult to keep its shelves full. They had a realtor who was a regular contributor. Now she was coming to get food for herself. The cost of food is rising at a tremendous rate.

Rising gas prices have an effect on medical care as well, as this letter from an oncology social worker in a Vermont city reveals.

I cannot describe how devastating it has been for these folks who need to travel great distances to get to/from their cancer treatment.

My story involves my capacity as an oncology social worker working with cancer patients in an outpatient clinic. I also run an emergency fund through the Cancer Patient Support Program which provides funds to cancer patients in need during their cancer journey, including initial diagnosis, surgery, and treatment period in which they experience a significant decrease in income during a medical leave.

I cannot describe how devastating it has been for these folks who need to travel great distances to get to/from their cancer treatment and followup care with the way gas prices have been!

Many of these folks need to travel on a daily basis to radiation therapy for several weeks while others come from surrounding counties every one to two weeks for chemotherapy. It [the high price of gas] has had a tremendous impact on our ability to provide the financial assistance through our emergency fund to all those in need.

Someone with cancer who has to get treatment has no choice in how many times they need to travel great distances. They have to have reliable transportation, and thus need access to gas for their cars, or another family member's car, to get to their treatment and followup care.

This is becoming increasingly difficult as gas prices continue to rise and our emergency fund cannot meet all the financial needs of these patients.

This is the story of a woman who lives in a suburban community near Burlington, Vermont. Following it is a short letter from a senior citizen in a very small town in the mountains of central Vermont.

I feel as though I am between a rock and a hard place no matter how hard I try to adjust my budget for the month.

First of all, I am a single mother of a 16 year old daughter. I own a condominium. I have worked at the hospital for 16 years and make a very good salary, in the high \$40,000 range.

I own a 2005 Honda Civic. I filled up my gas tank yesterday, April 1, and it cost me almost \$43. That was at \$3.22 per gallon. If prices stay at that level, it will cost me \$160 per month to fill up my gas tank. A year ago it cost me under \$20 to fill up my tank. Which would have amounted to approximately \$80 per month. I now have to decide what errands I really need to run and what things I can do over the phone or on the Internet. But the other issue is if I use my cell phone too much during the month my bill will increase and that will cost me more money.

I feel as though I am between a rock and a hard place no matter how hard I try to ad-

just my budget for the month. I am watching my purchases in the grocery store and department stores more closely because of increased prices. I am not sure that I can afford to take a summer vacation this year. I usually take a day off during my daughter's spring vacation so we can go shopping in New Hampshire somewhere. I have already cancelled those plans for this year. I am hoping that I can take a few days off this summer to go to Maine. We will see how the gas prices are this summer but I hear it is going to get worse. Not much hope for someone on a tight budget.

I have been forced to go back to work.

I am a 71 year old man and have been retired since 2000. With the price of fuel oil I have been forced to go back to work just to heat my home and pay my property taxes.

These two women who live in small towns in central Vermont write about their sense that their families are sinking, economically.

We would like to not have to worry about where our next meal will come from.

I am a registered school nurse in Vermont, and my husband is a self-employed bread baker. We are in our mid 30's and have two young children. We always thought that if we went to college, earned 4-year degrees, and worked hard, that we would be able to live a decent life. We have no desire to be wealthy, but would like to not have to worry about where our next meal will come from.

As you know, wheat prices are soaring. Over the last year, he has seen his price per 50-pound bag of flour increase about \$10 or more (last week alone, price per bag went up \$2.75). We are feeling distraught that we may never "get ahead" but will always be pedaling to just keep up . . . Employed in Vermont since 1997, I will be paying back my nursing loans for a long time—longer now that we just can't keep up with the rising costs of oil and wheat.

My husband and I both work very, very hard to provide needed services to our Vermont communities. Yet we scratch our heads when trying to budget our income. How can it be that two college-educated individuals with respectable careers are in such a financial bind?

My husband and I followed all the rules . . .

Slowly, though, we have sunk back to the 'poor' days.

My husband and I followed all the rules. He grew up in urban projects and went into the military with Vietnam service so he could get GI Bill benefits and go to college. I grew up picking strawberries as a migrant worker, but had a mother who so pressed education that I was able to go to college on scholarship and by working full time nights in a mental hospital. My husband and I worked hard to buy a home, maintain good credit, even taking government jobs because we truly wanted to help others. I became disabled and unable to work, but we managed to live a middle-class life on one salary.

Slowly, though, we have sunk back to the 'poor' days. Our heating oil bill, gas prices, food prices—well, you know the story. Even a pizza is a splurge now. The interest on our meager savings doesn't seem worth keeping the money in the bank. We're so much more fortunate than many others, since we can still meet our bills, but we're scared that we'll drop beneath that level soon. It doesn't seem right that after working hard and following all the rules for our lives, now, at 60, we're tumbling down.

These two letters, one from a man in a Chicago suburb, and one from a teacher in Vermont's Connecticut River Valley, also speak of the sense of falling behind in the 21st century American economy.

It costs me so much money in gas that my wife and I live on \$6 per day to eat.

My job was transferred to China 8 years ago. No jobs were available in my field. I tried to do everything I possibly could do in finding another job outside of my field but failed. My unemployment ran out. I lost everything: House, cars and the will to live. My wife and I moved into my in-law's basement after this catastrophe. I regained my never-give-up outlook on life. I went back to school. I spent \$13,000 on my education to become a residential home inspector. That market is in turmoil, and I can't make any money in it these days. I am still self-employed now performing various inspections on the commercial side within the northern half of Illinois. I drive on average 250 miles per day. It costs me so much money in gas that my wife and I live on \$6 per day to eat. I can't afford health insurance for my wife and I because that money is in the gas tank every week. The irony of it is my wife is a nurse. She's expecting the doctor she works with to close his office any day now because he's behind in his malpractice insurance. His premiums are too high and he's 120 days past due on his office lease payments because he's trying to keep the malpractice insurance in effect. He stopped offering health insurance to his employees 2 years ago with his increasing costs. I still live in a basement. Do you need any more evidence that our country and our leaders have failed me?

How much more of a hit can people take? The future looks extremely bleak to me.

Bernie, I am so frightened for next year, as I struggle daily this year. I drive past the gas stations and see the price go up. Those prices are going up even 10 cents a gallon in one day.

What about heating fuel next year? I spent this winter with my heat turned down to 53 degrees, varying it only for a few hours after I returned home from work. I have my master's degree and am a teacher. I am struggling so hard in my new home. It's a double wide and I've waited 50 years to get my own home. Now, I am worried I won't be able to keep it as everything else is going up, except my salary, which next year will only go up slightly more than 1 percent.

The middle class is no longer the middle class...I've slipped into the lower class after a winter of double heating costs and now these new economic hits. How much more of a hit can people take? The future looks extremely bleak to me. I worry constantly about how I am going to pay my bills.

The first letter is from a young person in a small, rural, college town in Vermont. The second was written by a woman who lives in a city on the Gulf Coast of Florida.

I am now living out of my car.

As a student and a part time employee working for just above minimum wage I have found it more and more difficult to survive under these conditions. The drive to school and work require me to use roughly 30 percent of my paycheck just to go where I need to, to make it through my day.

When school is in session I am lucky to get about 170 dollars a week and with gas prices at their current all time high I am continually finding myself under hardships because of it. Recently I had to vacate my apartment because I could not afford to pay rent and I am now living out of my car. This too seems like it may not be able to last that much longer because I am encountering difficulties in making my car payment.

I can remember when gas prices were a little over a dollar and I dream about life taking that turn once more. Because of the gas prices I have found nothing but an extremely low budget for food, I was forced out of my

home and now I might lose the one thing that is allowing me to continue my schooling and keep going to work—my car.

I am struggling to understand why prices continue to rise and I see no end in sight.

Our life style has drastically changed in the past 12 months.

I travel over 30 miles one way (60 miles roundtrip). My car requires high test which is now \$3.95/gal. I have approached my company about doing a survey of its employees to see how many co-workers travel over 20 miles one way, and suggested that we start to work on a commuter policy. I suggested four 10-hour work days, telecommuting, setting up car pools, setting up incentives for car poolers. I was turned down. I was able to find another person who was interested in car pooling & we have started to do that. I take breakfast, coffee, lunch, and snacks to work daily. I do not go to the hair dresser or nail salon as I used to. We stopped taking weekend trips and plan to see our children in NJ only once this year. Between the 30 percent credit card interest rates, fuel cost, and food increases our life style has drastically changed in the past 12 months.

Two women from Vermont write about what the economy is doing to them and their families.

My mortgage is behind, we are at risk for foreclosure, and I can't keep up with my car payments.

I am a 31 year old wife, mother of two. How has this affected me? My husband drives 35 miles to work, that is a one-way trip. He is putting an average of \$80 a week into his gas tank. No, he doesn't drive an SUV or a half-ton work truck. It's a small pickup truck that he needs as he builds houses. The kicker is that he never puts more than half a tank in, because we can't afford to fill it. I drive 15 miles one way, and put about \$40 a week into my 30-miles-to-the-gallon car. Again, I never fill the tank—ever. We have even contemplated having my husband quit his job because he isn't making much more money weekly than he spends on gas. We could move to an area that is closer to our jobs, but because of the market, we cannot sell our house fast enough, or for a fair price.

Meanwhile, my mortgage is behind, we are at risk for foreclosure, and I can't keep up with my car payments. My parents, both in their 60's, are back to work so that they can make ends meet, and struggle to come up with enough gas money so they can get to doctor's appointments. They are opting to close their house up for the winter, and stay with my uncle so they don't have to put oil in their furnace. I can't tell you how many times we had to fill our little gas tanks with kerosene or diesel because we ran out of oil and couldn't afford the \$380 it would cost us to put a mere 100 gallons in. Needless to say, we are way behind on all of our bills, we are still playing catch up with our winter expenses. People that I know that have never struggled with money, are now frequenting our local food shelf so they can feed their families staple foods. Please listen to our pleas and put ethics first.

We are barely staying afloat.

My family has been hit so hard by this economy, we are barely staying afloat. We have remortgaged the house 4 times in the last three years to pay credit card debt. Now we are trying to tap into our annuity to pay more credit card debt. The debts on the credit cards are all for bills. Mostly grocery, oil and the mere cost of living.

My husband is a union carpenter and they just changed our fantastic insurance plan to a terrible one with barely any coverage. I have none of my doctors on it and I suffer from painful nerve damage. I am not eligible

for social security disability and I am unable to work.

We had a dream to own our own home, and that dream came true seven years ago. I am afraid our dream is slipping through our fingers and it won't be long before we lose our home, the way things are going.

A young couple in Burlington, Vermont writes of their situation and their concerns.

I wonder some times if we should try to follow our dreams—decide to have children?

Even after we bought our house, there was a time when I could save a little here and there and feel secure and hopeful for the future.

Recently, I have been trying to stretch out time between grocery trips and have chosen to postpone necessary repairs to our house simply because we just don't have the money to do so.

We are frugal people with simple spending habits, mainly food and our house expenses. We ride bicycles, buy bulk foods and used clothing, repair and mend before buying new, and we love this life.

But if we can't fix our roof, or become malnourished from food choices on a family income of \$50,000 yr, then what does the future hold for the next generation?

I wonder some times if we should try to follow our dreams—decide to have children? Try to buy a farm? All of these thoughts lead me to another emotion—sadness.

These letters, the first from a single mother in Vermont, the second from a retired couple also in Vermont, ask questions that we as a Nation should listen to.

People say, 'Cut back.'

I am a single mother, owning a home, preparing to send a son to college, and working two jobs most of the time. While I am managing to keep my house (I think I'm upside down given the slump in market value), I am falling behind on my bills and have to use my credit card more often for necessities.

People say, 'Cut back.'

When I look at my bank and credit card statements, I see; gas, groceries, gas, fuel oil, gas, groceries, school-related activities, car maintenance, gas, electricity. Cut back on what? The occasional pizza between jobs and athletic events? The trip to college to seek financial aid? Clothes for work and school?

Does anybody have a solution? Does anybody in Washington care?

Thanks for your invitation to talk with you. We are retired, 70 and 65 and living on Social Security and some savings.

Like most Vermonters we use wood to offset the price of being warm. Our last oil fill up was nearly \$700. How can we continue to make ends meet? My gasoline cost \$239 last month. Food and everything else we buy is going up every week because of gouging from oil companies. We are worried about the national debt and the trade deficit. What can be done to bring them down? Does anybody have a solution? Does anybody in Washington care?

HONORING RON MASON

Mr. LEVIN. Mr. President, I, along with my Michigan colleague, Senator STABENOW, would like to congratulate Ron Mason on a long and distinguished career at Michigan State University. He has been integral to the success of Michigan State's hockey program for more than 29 years and has positively impacted the lives of many young people throughout his tenure at MSU.

Ron Mason enjoys the distinction of being the winningest coach in college

hockey history. That is an impressive feat, one of which he, his family and the MSU community are proud. Ron spent 36 years as a college hockey head coach, 23 of which were behind the bench at Michigan State University. During his stellar career, he amassed 924 total wins and a record of 635-270-69 as head coach of the Spartans. Ron guided the Spartans to 17 CCHA regular season and playoff titles, and 23 appearances in the NCAA tournament, which stands as an all-time record. In 1986, he led the Spartans to their second NCAA Hockey National Championship in the school's history, and in 1972, he won a NAIA Championship as head coach of Lake Superior State University.

After retiring as head coach of the Spartans, Ron accepted the job of athletic director at Michigan State, where he would continue to make important contributions to the success of the 25-sport athletic department. Under his watch, the university won 11 conference championships and one national championship. Fittingly, the national championship was won by the ice hockey team, the program's third NCAA national championship. Ron's legacy as athletic director also includes the many contributions he has made in the lives of student-athletes at MSU off the field. These efforts include the PACT initiative which has enabled more than 300 student-athletes to participate in community outreach efforts, the establishment of the Student-Athlete Multicultural Center which provides leadership training to student-athletes, and his highly successful fundraising efforts for the athletic department.

One of the great privileges of coaching and working on the collegiate level is the impact an individual can have in shaping the lives of young men and women. Ron Mason accepted this responsibility and flourished. In the process, he has become an important figure in MSU's rich athletic tradition.

Ron's retirement will be aptly marked by a celebration on Thursday, June 12 at MSU. We know our Senate colleagues join us in paying tribute to Ron Mason on his many accomplishments over the years and wish him and his family the very best in their future endeavors.

IN REMEMBRANCE OF ALFRED WAGONER LOVELESS

Mr. LEVIN. Mr. President, I would like to take this opportunity to pay tribute to Alfred Wagoner Loveless, a tireless and dedicated community leader. Alfred was committed to serving the needs of his community and served in various positions throughout his adult life in Saginaw. His contributions were many, and he will be missed by those whose lives he touched.

Alfred Wagoner Loveless was born in Detroit, MI, on March 9, 1931, to Claude and Jesse Starr Loveless and moved shortly thereafter to Saginaw. He is a

graduate of Saginaw High School. During his years at Saginaw High, he excelled athletically and would ultimately set several school records in track and field. After his high school years, Alfred attended Bay City Junior College and Bishop College.

Alfred Wagoner Loveless was a man of great faith who was devoted to his family and to his community, and he received numerous awards and recognitions throughout his life as a result of his work. His community efforts focused on eradicating poverty, sickle cell prevention, along with promoting self-determination and self-sufficiency. Alfred is mourned by his family, the members of Zion Baptist Church, and many in the greater Saginaw community. Alfred is survived by his wife Gloria Hill Loveless and his son, Wagoner T. Loveless, in addition to a large extended family.

This is, indeed, a great loss to all who knew him or for those who have benefited from his work. I know my colleagues will join me in paying tribute to the life and work of Alfred Wagoner Loveless. I am sure his family takes comfort in knowing that his legacy will be remembered.

ADDITIONAL STATEMENTS

REMEMBERING WILLIAM T. "BILL" McLAUGHLIN

• Mr. BIDEN. Mr. President, I wish today to honor Bill McLaughlin, a man as renowned for his vision and leadership as for his soft touch and utter humanity. Bill passed away on May 30, 2008, but his legacy will live on for generations. Many remember Bill as a man who turned the city of Wilmington into one of the financial capitals of the world—I prefer to honor him as the truly decent, caring, and visionary gentleman whom I have admired for my entire career.

To summarize Bill McLaughlin's life in a few words is beyond my capabilities. It is impossible for me to speak of this brother, father, and grandfather in terms of his well-documented public accomplishments. To me, Bill McLaughlin was a friend, and a man.

As Shakespeare wrote, "His life was gentle, and the elements / So mixed in him that Nature might stand up / And say to all the world, / This was a man!"

Bill McLaughlin was a man. As we Irish say when we want to pay the highest compliment: Bill McLaughlin was a good man.

Bill was, at his core, a family man. He viewed everything through the prism of family. And he was a great city leader because he loved the city of Wilmington. On any given Sunday, you were as likely to see him at an African-American church as you were at Catholic mass.

Of all Bill's wonderful qualities, perhaps the most unique—and most useful—was his style of leadership. He had the insight to know what had to be

done and the wisdom to make other people think it was their idea.

He was one of the last men and women of the "greatest generation," recognizing that the values he was raised with—honor, decency, humility and sacrifice—were universal values that defined who we are as a nation. He used those ideals as his guidance, which is why Bill's courageous decisions as an elected official were both profound and simple for him. They were not difficult for him because they were obvious to him; Bill always knew his true north.

Bill McLaughlin was a model for all of us, not just elected officials. He lived his life, from beginning to end, by the same guiding principles upon which our Nation is built. Bill will be sorely missed, but as long as we remember his lessons, the world will be better off. As Yeats wrote in "The Lake Isle of Innisfree:"

I will arise and go now, for always night and day

I hear lake water lapping with low sounds by the shore;

While I stand on the roadway, or on the pavements grey,

I hear it in the deep heart's core.●

HONORING DR. DONALD F. AVERILL

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in recognizing Dr. Donald F. Averill as he retires after almost 50 years of service in education.

This month, Dr. Donald Averill will retire as chancellor of the San Bernardino Community College District, SBCCD. Prior to joining SBCCD, Dr. Averill served as the CEO of Palo Verde College. Dr. Averill more than doubled the enrollment of full-time students to provide increased educational opportunities throughout the region. His leadership enabled physical and economic growth of academic infrastructure and enabled Palo Verde College to earn accreditation. During his tenure as the CEO for the San Bernardino Community College District, he greatly improved the economic capacities of the district and increased cooperation between colleges and secondary institutions, increasing enrollment in the region by 45 percent.

Throughout his 47 years of service and commitment to improvements in education, Dr. Donald Averill provided leadership both in California higher education and in the San Bernardino community. He served as chairman of the Economic and Workforce Development Advisory Committee to the California Community College Board of Governors for 2 years and chaired the Human Resources Commission of the Association of California Community College Administrators for 5 years. He served the city of La Habra, CA, as a planning commissioner for 12 years. Dr. Averill has also served as president of the American Heart Association in Glendale, CA.

As he retires from providing leadership and guidance to the faculty, students, and staff of numerous institutions of higher education and to countless communities in California, I am pleased to ask my colleagues to join me in honoring a true leader in education and community development.●

HONORING NELL SOTO

● Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring California Assembly member Nell Soto on a lifetime of achievement and advocacy for the people of California. Throughout her tenure in both the California Assembly and the California State senate, Nell Soto has worked tirelessly to improve the quality of life for the people of California and our Nation. Despite recent health challenges, this June she will celebrate her 82nd birthday and can look back on a proud career in public service.

A sixth-generation resident of the City of Pomona, Nell Soto has been a lifelong member of the southern California community and has been a strong advocate for its communities throughout her life. Before coming to the California Legislature, Nell Soto served 12 years on the city council in Pomona. Her late husband Philip Soto served two terms in the state legislature from 1962 to 1966. Nell was the first woman from the San Gabriel Valley to serve on the South Coast Air Quality Management Board. She served 10 years as a public affairs representative with the Los Angeles County Metropolitan Transportation Authority. In 1998 she was elected to the California Assembly and in March of 2000 won a special election to secure a seat in the California State senate, a seat that she held until 2006. She now serves once again in the California Assembly.

Throughout her tenure in the California Legislature, Nell has been an impassioned advocate for stronger communities and an improved quality of life and has worked to make improvements throughout the California educational system. She has been a strong advocate of improvements in infrastructure and transportation and worked hard to secure the development of the Alameda Corridor East, an important rail transportation project in inland southern California. She has been an equally impassioned advocate for crime prevention, public safety, and the environment, and recently served as chair of the Assembly Select Committee on Perchlorate Contamination and has worked to secure funding for improvements in drinking water safety from perchlorate contamination.

A lifelong resident of southern California, mother of 6, grandmother of 11, great-grandmother of 3, and spirited supporter of community advocacy and selfless service, Nell Soto is a wonderful public servant. As she looks back on decades of leadership and celebrates her 82nd birthday, I am pleased to ask my colleagues to join me in recognizing her good work.●

TRIBUTE TO ELTON "MICK" RINGSAK

● Mr. CONRAD. Mr. President, today I pay tribute to an outstanding advocate of small and rural business, Elton "Mick" Ringsak, who will be concluding his time as Small Business Administration Region VIII Administrator in July of 2008.

For nearly 8 years he has been a champion for small business in rural America. He has recognized the important role they play in strengthening the local and national economies of our country and I have appreciated the excellent work he has done for the State of North Dakota. Mick has worked hard to provide Federal assistance to small businesses so they can be productive and grow.

Not only is Mick Ringsak an advocate for small and rural businesses in America, he is also an outstanding person. He has never lost the values he gained growing up in Grafton, ND. During my years as Tax Commissioner for the State of ND, I had the opportunity to work closely with his father, a legislator in the State Senate from the Grafton area.

Mick and his wife Claire are parents of three sons, Quint, Justin and Zach. He is trustworthy, honest, and dedicated to making the economic environment friendlier to small and rural businesses. Prior to his appointment appointed as the SBA Region VIII Administrator in 2001, Mick, a Vietnam veteran, owned and managed Miller's Boots and Shoes along with his brother-in-law in Butte, MT.

I appreciate his work as SBA Region VIII Administrator, and I wish Mick well in his future endeavors. I have enjoyed working with him in developing North Dakota's small and rural businesses and he has also been a good friend. I wish him all the best in his upcoming retirement and look forward to his continuing leadership for small business for many years to come.●

125TH ANNIVERSARY OF AYR, NORTH DAKOTA

● Mr. CONRAD. Mr. President, I am pleased to honor a community in North Dakota that is celebrating its 125th anniversary. On June 21 and 22, the residents of Ayr will come together to celebrate their community and its historic founding.

Ayr is located in Cass County. Although its population is small, Ayr holds an important place in our State's history. Originally founded in October 1883 as Dunlop, the town was officially renamed Ayr by postmaster Frank Dickinson. He chose to name the community Ayr in recognition of Ayrshire, Scotland, the ancestral home of many of Ayr's citizens at the time. Later, some residents tried to change the name of the town again, but the territorial legislature took action to put an end to the renaming effort.

Ayr is a community dedicated to service, with many citizens serving

both in the government and military. Many in the community have also played a role in defining the preservation of North Dakotan history, with community members such as Keith Johnson who was responsible for much of the restoration of historic buildings in the Cass County 'Pioneer Village' project.

Mr. President, I ask the United States Senate to join me in congratulating Ayr, ND, and its residents on their 125th anniversary and in wishing them well for the future. By honoring Ayr and all other towns of North Dakota, we keep the pioneering, frontier spirit alive for future generations. It is places such as Ayr that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Ayr has a proud past and a bright future.●

100TH ANNIVERSARY OF HAGUE, NORTH DAKOTA

● Mr. CONRAD. Mr. President, I am pleased to honor a community in North Dakota that is celebrating its 100th anniversary. On July 4 and 5, the residents of Hague will gather to celebrate their community's history and founding.

In 1882, a rural post office was established to serve the Grandin Brothers Bonanza Farm. In 1882, the Bonanza farm was 40,000 acres, which made it the largest wheat farm in the world. This Bonanza farm was managed by a man named John A. Hague, and he eventually lent his name to the town of Hague.

Today, Hague is a small but vibrant community in south, central North Dakota. Residents of the community are truly proud of the St. Mary's Catholic Church, a Gothic-style, brick building built in 1929 that is on the National Register of Historic Places. St. Mary's Church possesses an iron cross cemetery that is a German-Russian tradition, which makes it a unique cultural gem.

To celebrate its 100th anniversary, the town of Hague will be having a wide range of events. To start off the festivities, the residents will be participating in a Tractor Trek. The town will also have a rodeo, parade, concerts, a magician, cloggers, and fireworks. Kristi Goblade, a local resident of Hague, will be performing cowgirl yodeling at the opening ceremony. A performance by Mylo Hatzenbuehler, a country humorist, is also expected.

Mr. President, I ask the United States Senate to join me in congratulating Hague, ND, and its residents on their first 100 years and in wishing them well in the future. I believe that by honoring Hague and all the other historic small towns of North Dakota, we keep the frontier spirit alive for future generations. It is places like Hague that have helped to shape this country into what it is today. I believe that Hague is deserving of our recognition.

Hague has a proud past and a bright future.●

100TH ANNIVERSARY OF KIEF, NORTH DAKOTA

● Mr. CONRAD. Mr. President, I am pleased today to recognize a community in North Dakota that will be celebrating its 100th anniversary. On June 21–22, the residents of Kief will gather to celebrate their community's history and founding.

Kief is a small town located in the center of North Dakota with a population of 16. The land upon which Kief was founded was first homesteaded by a Ukrainian immigrant named Anton Bokovoy. In 1908, he sold half of his land to the Tri-State Land Company, which then sold the land to other settlers from Scandinavia, Russia, and Germany, effectively establishing the town of Kief. It was customary to give the first settler the opportunity to name the town. Anton Bokovoy chose to name the settlement after his birthplace of Kiev, Ukraine.

Kief grew throughout the years. In 1910, the town was able to construct a schoolhouse, which served the community's students until it was closed in 1959. Kief officially became a village in 1918. At that time, the town had about 300 inhabitants. The many businesses that opened in Kief made the town a pleasant place to live. Multiple grain elevators and businesses related to agriculture offered a livelihood to many of the town's residents. In their free time, residents of Kief could be found enjoying themselves at the outdoor theater, pool hall, and bowling alley.

Today, Kief supports three businesses. Krueger's Standard Grocery has been in operation since 1982. Recently, a long haul trucking company and a truck freight brokerage have been established.

Current and former residents of Kief will gather to celebrate the 100th anniversary. They will enjoy a parade, an ice cream social, and a street dance. Children and adults will play horseshoes, tug o' war, and other games throughout the weekend. Horse and buggy rides will remind celebrants of the conveyances of yesteryear.

Mr. President, I ask the United States Senate to join me in congratulating Kief, ND, and its residents on their first 100 years and in wishing them well through the next century. I believe that by honoring Kief and all the other historic small towns of North Dakota, we keep the frontier spirit alive for future generations. It is places like Kief that have helped to shape this country into what it is today. I believe that the community of Kief is deserving of our recognition.

Kief has a proud past and a bright future.●

125TH ANNIVERSARY OF LAKOTA, NORTH DAKOTA

● Mr. CONRAD. Mr. President, I wish to recognize a community in North Da-

kota that will be celebrating its 125th anniversary. During this year's July 4th celebration, the residents of Lakota will gather to celebrate their community's history and founding.

In 1882, Lakota, a Great Northern Railroad site, was founded. Lakota was named by Gov. Nehemiah G. Ordway for the Sioux word meaning "allies." Lakota's post office was established in 1883, and it was designated as the county seat in 1883. Lakota officially became a city in 1889.

Today, Lakota remains a small, proud farming community. Lakota residents enjoy many outdoor activities, from hunting to fishing in nearby Devils and Stump Lakes. Many residents take pride in the local golf course, Lakota Rock Creek Golf Course, saying that it is the "best course around." The community is home to the A. M. Tofthagen Library and Museum, which was recognized in 1991 as a North Dakota historical site by the National Register of Historic Places.

To celebrate the 125th anniversary, the residents of Lakota will gather for a wide range of events. An All School Reunion will be held during the same weekend of the anniversary celebration. Lakota will also celebrate with a variety show, banquet, craft show, parade, BBQ, a dance, car and motorcycle show, and lots of activities for the kids.

I ask the Senate to join me in congratulating Lakota, ND, and its residents on their first 125 years and wishing them well in the future. By honoring Lakota and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Lakota that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Lakota has a proud past and a bright future.●

125TH ANNIVERSARY OF NEW ROCKFORD, NORTH DAKOTA

● Mr. CONRAD. Mr. President, today I wish to recognize a community in Eddy County, ND, that will be celebrating its 125th anniversary. From July 3–6, the residents of New Rockford will gather to celebrate their community's history and founding.

The Eddy County region was populated mainly by settlers of Scandinavian origin. The first pioneers followed the trail blazed by earlier Red River buffalo hunters. Later, they came by way of the Northern Pacific Railway.

In 1882, Captain Walter G. Dunn established his merchandise store and post office just to the south of present-day New Rockford. As the railroads stretched northward, townsites promoters appeared a year later. These advocates sited the settlement along the James River and initially called it Garrison. Since Garrison was the name of another post office, the settlers decided

upon the name New Rockford, derived from the area's river crossing.

Today, New Rockford is a quiet, scenic place of 1,463 people. The township anchors a dynamic farm economy and contains a 117-acre industrial park. New Rockford is renowned for holding the Central North Dakota Steam Thresher's Reunion every third weekend of September, where a unique collection of antique operational steam engines is displayed. In addition, the community's rugged pioneering tradition persists and has been passed on to hometown son James Buchli, an astronaut and American hero.

New Rockford boasts a vibrant natural heritage and offers some of North Dakota's finest wildlife habitats. Blessed to be near the Sheyenne and James Rivers, the town is a prime locale for fishing. New Rockford is also a hub for hunters because of the waterfowl, whitetail deer, and upland game that populate the area.

To celebrate their 125th anniversary, the people of New Rockford have planned a number of events, including pitchfork fondues, dances, children's games, and a fireworks display.

Mr. President, I ask the United States Senate to join me in congratulating New Rockford, ND, and its residents on their first 125 years and in wishing them well through the next century. By honoring New Rockford and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as North Rockford that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

New Rockford has a proud past and a bright future.●

100TH ANNIVERSARY OF REEDER, NORTH DAKOTA

● Mr. CONRAD. Mr. President, I am pleased today to honor a community in North Dakota that is celebrating its 100th anniversary. On June 20–22, the residents of Reeder will gather to celebrate their community's founding and history.

Reeder is located in the scenic southwestern part of North Dakota with a population of about 181. The town was named after E.O. Reeder, an assistant chief engineer with the Milwaukee Road Railroad, which established a station in Reeder in 1908. By the end of 1908, it was a thriving prairie town with numerous businesses.

In celebration of the community's centennial, there are many activities planned for entertainment and to remember the town's history. Events will include a parade, variety show, bike races, dances, and plenty of food.

The centennial celebration will also serve as a high school reunion for the graduates of Reeder High School. The school closed in 2000, but the town has

turned it into the Dakota Prairie Enrichment Center. The community center is now used for receptions, basketball games, dances, and benefits. It also provides lodging for those who travel to the area to hunt, a popular activity in Reeder.

Mr. President, I ask the United States Senate to join me in congratulating Reeder, ND, and its residents on their first 100 years and in wishing them well through the next century. By honoring Reeder and all the other historic small towns of North Dakota, we keep the pioneering tradition alive for future generations. Places such as Reeder shaped this country into what it is today, which is why this fine community deserves our recognition.

Reeder has a proud past and a bright future.●

HONORING FREDERICKSBURG HIGH SCHOOL

● Mr. CORNYN. Mr. President, today I highlight an innovative and incredible education program started by science teacher Brett Williams from Fredericksburg High School in Fredericksburg, TX. The SystemsGo Aeroscience program promotes engineering, strong workforce skills, and improved academic performance by teaching high school students how to design, develop and launch rockets.

The program is a 2-year, junior/senior program in which first-year students design and develop remotely operated vehicles and unmanned aerial vehicles for research or industrial applications. Second-year students design and fabricate rockets for testing at altitudes from 80,000 feet to 100,000 feet. Through successes and failures, students picked up valuable life skills such as problem solving, testing, analysis, documentation, reporting, project management, teamwork, and communication.

We are facing shortages of high-skilled workers in our country. The S&P, Standard & Poor's, top 500 companies alone report over 140,000 vacancies for these positions. By developing workforce skills in tandem with engineering studies, the SystemsGo Aeroscience programs is training the next generation of scientists that will keep our country globally competitive.

More than a decade after Mr. Williams and his students launched their first rocket, Fredericksburg High School has received many accolades including being the first high school to design and develop rockets exceeding Mach 2. However, the statistic I find most impressive is that 80 percent of students in the aeroscience program continue to pursue degrees in engineering in college.

By inspiring the next generation of scientists, we are not only investing in individual students' success but also to the overall wellbeing of our economy. America's most valuable asset is her human capital. It is critical that we continue to encourage exceptional teachers like Mr. Williams, and pro-

grams such as the SystemsGo Aeroscience in order to maintain our global leadership in innovation.●

REMEMBERING CARL KULCZYK

● Mr. HARKIN. Mr. President, I was deeply saddened by the death of Carl Kulczyk last week.

I knew Carl the way many other Iowans did—through his passionate commitment to the work of bringing hope and health care to underserved communities in our State. When Carl began his work with the Iowa Department of Public Health 14 years ago, there were just four community health centers in Iowa; today there are three times as many health centers, a migrant program, and yet another community health center well on its way to getting permanent funding. Carl never cut a ribbon or spoke at a groundbreaking, but let me say this: The expansion of affordable, accessible health care services across Iowa would not have happened without Carl's hard work.

But that is not all. Carl worked to support Critical Access Hospitals. He brought physicians from overseas to care for Iowa's sick and elderly. He nurtured the psychiatric physician assistant training program. And, in his final days, he was working to get Iowans better access to dental care.

There is an old expression that we make a living by what we get, but we make a life by what we give. By that measure, Carl lived a very good life, indeed. He gave his time and talents to securing quality health care for tens of thousands of Iowans, most of them children—people who otherwise would have gone without any health care. And though he was dedicated to his work, his first priority was always his family.

In my book, the highest praise for Carl—for any person—is that he was a good and decent man. He dedicated himself to serving others. He had a mighty heart and was beloved by those of us who had the honor of calling him friend, colleague, husband, father, brother, or uncle.

Carl had a very special blend of passion, humor, determination, high intelligence, and a sense of adventure. He worked miracles for people who so desperately needed a miracle. He took care of the least among us, while never neglecting his family. I, for one, will always be in his debt and grateful for his service to the people of Iowa. I extend my deepest condolences to his wife Pam, to his children, Caleb and Ezra, and to his entire family.●

TAKE OUR DAUGHTERS AND SONS TO WORK DAY

● Ms. LANDRIEU. Mr. President, on April 24, 2008, 25 young men and women from Louisiana and the Washington area took part in Take Our Daughters and Sons to Work Day. I am going to submit all of their names for the

RECORD to show that they spent a day working the Senate with me and with some of the other Senators and have seen firsthand the work that goes on.

I want to acknowledge the MS Magazine Foundation that started Take our Daughters and Sons to Work Day to thank them for organizing this effort where there are thousands, maybe perhaps millions, of young people who have taken a day out of their school work to go to the various places where Americans are working to contribute to making this country of ours a better country and this world a better place.

I ask to have the names printed in the RECORD for these young men and women and thank them for being a part of this special day and taking their time to come and learn about the workings of the Senate.

The list follows.

From The Bryn Mawr School: Alexandra Argo, Baltimore, MD; from Ursuline Academy: Kelly Francis Antrum, New Orleans, LA; from Ursuline Academy: Jennifer Baker, New Orleans, LA; from Lake Castle School: Anna Campbell, Abita Springs, LA; from St. Angela Merici School: Margret Domingo, Metairie, LA; from St. James Episcopal School: Ashton Eymard, Baton Rouge, LA; from St. Margaret Mary: Cameron Gerhold, Slidell, LA; from Georgetown Day School: Cleo Gill, Washington, DC; from Georgetown Day School: Camilla Herrera, Washington, DC; from Grace Episcopal School: Mary Snellings Inabnett, Monroe, LA; from LSU Lab School: Jeremy Jetson, Baton Rouge, LA; from St. Peter's: Marlena Jones, Washington, DC; from St. Dominic School: Ashley Landrieu, New Orleans, LA; from St. Dominic School: Claire Landrieu, New Orleans, LA; from St. Dominic School: Katie Landrieu, New Orleans, LA; from Our Lady of Prompt Succor: Alyse Lemoine, Dryprong, LA; from St. Dominic School: Sarah Mayer, New Orleans, LA; from Academy of the Sacred Heart: Natalie Lindon, St. Martinville, LA; from T.S. Cooley Magnate School: Hanaiah Morris, Lake Charles, LA; from LSU Lab School: McKenzie Prudhomme, Baton Rouge, LA; from St. Dominic School: Alexandra Sensenbrenner, New Orleans, LA; from St. Ignatius School: Mary Francis Seiter, Mobile, AL; from Georgetown Day School: Mary Shannon Snellings, Washington DC; from Ursuline Academy: Gabrielle Terrebonne, Gretna, LA; from St. Margaret Catholic School: Brooke Walker, Lake Charles, LA.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:01 p.m., a message from the House of Representatives, delivered by

Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 1245. An act to reform mutual aid agreements for the National Capital Region.

S. 2516. An act to assist members of the Armed Forces in obtaining United States citizenship, and for other purposes.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2632. An act to establish the Sabinoso Wilderness Area in San Miguel County, New Mexico, and for other purposes.

H. R. 3022. An act to designate the John Krebs Wilderness in the State of California, to add certain land to the Sequoia-Kings Canyon National Park Wilderness, and for other purposes.

H. R. 3682. An act to designate certain Federal lands in Riverside County, California, as wilderness, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, to adjust the boundary of the Santa Rosa and San Jacinto Mountains National Monument, and for other purposes.

H. R. 4926. An act to establish a grant program for automated external defibrillators in elementary and secondary schools.

H. R. 5524. An act to amend the Runaway and Homeless Youth Act to authorize appropriations, and for other purposes.

H. R. 5569. An act to extend for 5 years the EB-5 regional center pilot program, and for other purposes.

H. R. 5593. An act to amend title 5, United States Code, to make technical amendments to certain provisions of title 5, United States Code, enacted by the Congressional Review Act.

H.R. 5683. An act to make certain reforms with respect to the Government Accountability Office, and for other purposes.

H.R. 5778. An act to preserve the independence of the District of Columbia Water and Sewer Authority.

H.R. 5938. An act to amend title 18, United States Code, to provide secret service protection to former Vice Presidents, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2632. An act to establish the Sabinoso Wilderness Area in San Miguel County, New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3022. An act to designate the John Krebs Wilderness in the State of California, to add certain land to the Sequoia-Kings Canyon National Park Wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3682. An act to designate certain Federal lands in Riverside County, California, as wilderness, to designate certain river segments in Riverside County as a wild, scenic, or recreational river, to adjust the boundary of the Santa Rosa and San Jacinto Mountains National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4926. An act to establish a grant program for automated external defibrillators in elementary and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5593. An act to amend title 5, United States Code, to make technical amendments

to certain provisions of title 5, United States Code, enacted by the Congressional Review Act; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5683. An act to make certain reforms with respect to the Government Accountability Office, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5938. An act to amend title 18, United States Code, to provide secret service protection to former Vice Presidents, and for other purposes; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5524. An act to amend the Runaway and Homeless Youth Act to authorize appropriations, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 10, 2008, she had presented to the President of the United States the following enrolled bill:

S. 2420. An act to encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6540. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pistachios Grown in California; Changes in Handling Requirements" (Docket No. AMS-FV-07-0082) received on June 4, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6541. A communication from the President, Federal Home Loan Bank of Seattle, transmitting, pursuant to law, the Bank's 2007 management report; to the Committee on Banking, Housing, and Urban Affairs.

EC-6542. A communication from the Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Marine Mammal; Incidental Take During Species Activities (Chukchi Sea)" (RIN1018-AU41) received on June 4, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6543. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a report entitled, "Research Credit Claims Audit Techniques Guide: Credit for Increasing Research Activities" (LMSB-04-0508-030) received on June 4, 2008; to the Committee on Finance.

EC-6544. A communication from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period ending March

31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-6545. A communication from the Chief Executive Officer, Millennium Challenge Corporation, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period from October 1, 2007 to March 31, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-6546. A communication from the White House Liaison, Department of Justice, transmitting, pursuant to law, the report of a vacancy in the position of U.S. Attorney for the Western District of Virginia, received on June 3, 2008; to the Committee on the Judiciary.

EC-6547. A communication from the Federal Liaison Officer of the Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice Before the Board of Patent Appeals and Interferences in Ex Parte Appeals" (RIN0651-AC12) received on June 4, 2008; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-368. A letter from a member of the South Carolina House of Representatives relative to the economy; to the Committee on Finance.

POM-369. A resolution adopted by the House of Representatives of the State of Ohio urging Congress to enact the Community Cancer Care Preservation Act of 2007, and for other purposes; to the Committee on Finance.

HOUSE RESOLUTION NO. 100

Whereas, the National Center for Health Statistics at the Centers for Disease Control and Prevention reports that cancer is the second leading cause of death in the United States, and its prevalence increases with age. Medicare beneficiaries account for half of all cancer patients, and more than 700,000 beneficiaries are newly diagnosed with some form of cancer every year; and

Whereas, community cancer clinics, free-standing outpatient facilities where cancer care is delivered in physician offices, play an important role in winning the war on cancer. According to the American Society of Clinical Oncology, these clinics treat over 80% of Americans with cancer, providing patients with early diagnosis, effective cancer therapies, and innovative supportive care that reduce fatigue, nausea and vomiting, and pain; and

Whereas, while the Medicare Prescription Drug Improvement and Modernization Act of 2003 (Pub. L. No. 108-173) enacted Medicare Part D, a welcomed drug benefit for America's seniors, it created a severe reduction in Medicare's reimbursement for oncology treatment. According to a July 2007 press release issued by Senator Arlen Specter (R-PA), one of the sponsors of the Senate version of the Community Cancer Care Preservation Act of 2007 (S. 1750 of the 110th Congress), the Centers for Medicare and Medicaid Services (CMS) has reduced Medicare payments to community cancer care clinics by approximately three to four hundred million dollars since 2005. A 2007 analysis by the accounting firm, PricewaterhouseCoopers, predicts reimbursement reductions of \$13.8 billion over ten years; and

Whereas, the Ohio West Virginia Hematology Oncology Society asserts that the reduction in Medicare reimbursements for community cancer care clinics has resulted

in nearly all cancer treatments being reimbursed below cost, crippling the nation's cancer care delivery system and resulting in a serious access-to-care crisis. Nearly 40% of states have reported a serious impact since January 1, 2006, when the full impact of the reductions became effective, and an attempt to save costs is actually leading to higher costs as care shifts to more expensive inpatient settings because clinics have to reduce staff and close offices; and

Whereas, the Community Cancer Care Preservation Act of 2007 (H.R. 1190 and S. 1750 of the 110th Congress) provides critical assistance to community oncologists that are disadvantaged by CMS reforms brought forth by the Medicare Prescription Drug Improvement and Modernization Act. These bills require CMS to reimburse oncologists for the actual price of drugs (rather than for the discounted price between the pharmaceutical manufacturer and the wholesaler), increase reimbursement for chemotherapy administration and storage and care of oncology drugs, and institute reimbursement for medical oncologists who provide treatment planning; now therefore be it

Resolved, That we, the members of the 127th General Assembly of the State of Ohio, memorialize Congress to enact the Community Cancer Care Preservation Act of 2007 to reform the Medicare reimbursement methodology for cancer drugs and their administration; and be it further

Resolved, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the Speaker and Clerk of the United States House of Representatives, to the President Pro Tempore and Secretary of the United States Senate, to the members of the Ohio Congressional delegation, and to the news media of Ohio.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INOUE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 2607. A bill to make a technical correction to section 3009 of the Deficit Reduction Act of 2005 (Rept. No. 110-348).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VITTER:

S. 3104. A bill to require that all individuals convicted of a felony under State law provide a DNA sample; to the Committee on the Judiciary.

By Mr. VITTER:

S. 3105. A bill to authorize funding for the Advancing Justice through DNA Technology initiative; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Mr. CORNYN, Mr. KOHL, and Mr. WHITEHOUSE):

S. 3106. A bill to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself and Mr. HATCH):

S. 3107. A bill to require the payment of compensation to members of the Armed Forces and civilian employees of the United States who were forced to perform slave

labor by the Imperial Government of Japan or by corporations of Japan during World War II, or the surviving spouses of such members, and for other purposes; to the Committee on Finance.

By Mr. KERRY (for himself, Mrs. DOLE, and Mr. KOHL):

S. 3108. A bill to require the President to call a White House Conference on Food and Nutrition; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. THUNE (for himself, Mr. CARDIN, and Mr. LAUTENBERG):

S. 3109. A bill to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN:

S. 3110. A bill for the relief of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. STABENOW (for herself and Ms. SNOWE):

S. Res. 589. A resolution designating the week beginning June 9, 2008, as "National Health Information Technology Week"; considered and agreed to.

By Mr. INHOFE (for himself, Mr. AKAKA, Mrs. HUTCHISON, and Mr. HATCH):

S. Res. 590. A resolution celebrating the 233rd birthday of the Army and commending the men and women of the Army as exceptional individuals who live by the Army values of loyalty, duty, respect, selfless service, honor, integrity, and personal courage; considered and agreed to.

By Mr. CORNYN (for himself and Mr. BUNNING):

S. Con. Res. 88. A concurrent resolution expressing the sense of Congress that the Food and Drug Administration's (FDA) new policy restricting women's access to medications containing estriol does not serve the public interest; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 302

At the request of Mr. VITTER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 302, a bill to establish a procedure to safeguard the Social Security Trust Funds.

S. 368

At the request of Mr. BIDEN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 368, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 388

At the request of Mr. THUNE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 388, a bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 584

At the request of Mrs. LINCOLN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 584, a bill to amend the Internal Revenue Code of 1986 to modify the rehabilitation credit and the low-income housing credit.

S. 682

At the request of Mr. KENNEDY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 682, a bill to award a congressional gold medal to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation.

S. 879

At the request of Mr. KOHL, the name of the Senator from Oklahoma (Mr. COBURN) was withdrawn as a cosponsor of S. 879, a bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 991

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 991, a bill to establish the Senator Paul Simon Study Abroad Foundation under the authorities of the Mutual Educational and Cultural Exchange Act of 1961.

S. 1010

At the request of Mr. SMITH, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1010, a bill to amend the Internal Revenue Code of 1986 to encourage guaranteed lifetime income payments from annuities and similar payments of life insurance proceeds at dates later than death by excluding from income a portion of such payments.

S. 1430

At the request of Mr. OBAMA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1430, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of \$20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1437

At the request of Ms. STABENOW, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1437, a bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.

S. 1462

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1462, a bill to amend part E of title IV of the Social Security Act to promote the adoption of children with special needs.

S. 1715

At the request of Ms. SNOWE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1715, a bill to amend title

XVIII of the Social Security Act to eliminate discriminatory copayment rates for outpatient psychiatric services under the Medicare program.

S. 1906

At the request of Mr. BAUCUS, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1906, a bill to understand and comprehensively address the oral health problems associated with methamphetamine use.

S. 1954

At the request of Mr. BAUCUS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1954, a bill to amend title XVIII of the Social Security Act to improve access to pharmacies under part D.

S. 1980

At the request of Mr. SMITH, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1980, a bill to improve the quality of, and access to, long-term care.

S. 2059

At the request of Mr. TESTER, his name was added as a cosponsor of S. 2059, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 2166

At the request of Mr. CASEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2166, a bill to provide for greater responsibility in lending and expanded cancellation of debts owed to the United States and the international financial institutions by low-income countries, and for other purposes.

S. 2170

At the request of Mrs. HUTCHISON, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2170, a bill to amend the Internal Revenue Code of 1986 to modify the treatment of qualified restaurant property as 15-year property for purposes of the depreciation deduction.

S. 2479

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2479, a bill to catalyze change in the care and treatment of diabetes in the United States.

S. 2504

At the request of Mr. NELSON of Florida, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2504, a bill to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

S. 2569

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2569, a bill to amend the Public Health Service Act to authorize the Director of the National Cancer Institute to make grants for the discovery and

validation of biomarkers for use in risk stratification for, and the early detection and screening of, ovarian cancer.

S. 2579

At the request of Mr. INOUE, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Indiana (Mr. BAYH) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 2579, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the United States Army in 1775, to honor the American soldier of both today and yesterday, in wartime and in peace, and to commemorate the traditions, history, and heritage of the United States Army and its role in American society, from the colonial period to today.

S. 2668

At the request of Mr. KERRY, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 2668, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 2708

At the request of Mrs. BOXER, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 2708, a bill to amend the Public Health Service Act to attract and retain trained health care professionals and direct care workers dedicated to providing quality care to the growing population of older Americans.

S. 2821

At the request of Ms. CANTWELL, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2821, a bill to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law.

S. 2874

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2874, a bill to amend titles 5, 10, 37, and 38, United States Code, to ensure the fair treatment of a member of the Armed Forces who is discharged from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, and for other purposes.

S. 2888

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2888, a bill to protect the property

and security of homeowners who are subject to foreclosure proceedings, and for other purposes.

S. 2920

At the request of Mr. KERRY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2920, a bill to reauthorize and improve the financing and entrepreneurial development programs of the Small Business Administration, and for other purposes.

S. 2931

At the request of Ms. SNOWE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2931, a bill to amend title XVIII of the Social Security Act to exempt complex rehabilitation products and assistive technology products from the Medicare competitive acquisition program.

S. 2983

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2983, a bill to amend the Public Health Service Act to prevent and cure diabetes and to promote and improve the care of individuals with diabetes for the reduction of health disparities within racial and ethnic minority groups, including the African-American, Hispanic American, Asian American and Pacific Islander, and American Indian and Alaskan Native communities.

S. 3008

At the request of Mr. BOND, the names of the Senator from Texas (Mr. CORNYN) and the Senator from New Hampshire (Mr. SUNUNU) were added as cosponsors of S. 3008, a bill to improve and enhance the mental health care benefits available to members of the Armed Forces and veterans, to enhance counseling and other benefits available to survivors of members of the Armed Forces and veterans, and for other purposes.

S. 3070

At the request of Mr. SESSIONS, the names of the Senator from Virginia (Mr. WEBB), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Maryland (Mr. CARDIN), the Senator from Colorado (Mr. SALAZAR), the Senator from Arkansas (Mr. PRYOR), the Senator from Massachusetts (Mr. KERRY), the Senator from Delaware (Mr. BIDEN), the Senator from Delaware (Mr. CARPER), the Senator from Iowa (Mr. HARKIN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Nevada (Mr. REID), the Senator from Washington (Mrs. MURRAY), the Senator from Michigan (Ms. STABENOW), the Senator from Oregon (Mr. WYDEN), the Senator from Montana (Mr. BAUCUS), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Wisconsin (Mr. KOHL), the Senator from North Dakota (Mr. DORGAN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Rhode Island (Mr. WHITEHOUSE), the

Senator from Wisconsin (Mr. FEINGOLD), the Senator from New York (Mr. SCHUMER), the Senator from California (Mrs. BOXER) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 3070, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Boy Scouts of America, and for other purposes.

S. 3073

At the request of Mr. CORNYN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 3073, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of absentee ballots of absent overseas uniformed services voters, and for other purposes.

S. 3080

At the request of Mrs. FEINSTEIN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 3080, a bill to ensure parity between the temporary duty imposed on ethanol and tax credits provided on ethanol.

S. 3098

At the request of Mr. CHAMBLISS, his name was added as a cosponsor of S. 3098, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

At the request of Mr. BUNNING, his name was added as a cosponsor of S. 3098, *supra*.

S. 3099

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 3099, a bill to prohibit the use of funds by the Department of Defense for propaganda purposes within the United States not otherwise specifically authorized by law.

S.J. RES. 37

At the request of Mrs. FEINSTEIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S.J. Res. 37, a joint resolution expressing the sense of Congress that the United States should sign the Declaration of the Oslo Conference on Cluster Munitions and future instruments banning cluster munitions that cause unacceptable harm to civilians.

S. RES. 580

At the request of Mr. BAYH, the names of the Senator from Tennessee (Mr. CORKER), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Res. 580, a resolution expressing the sense of the Senate on preventing Iran from acquiring a nuclear weapons capability.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. CORNYN, Mr. KOHL, and Mr. WHITEHOUSE):

S. 3106. A bill to amend chapter 13 of title 17, United States Code (relating to

the vessel hull design protection), to clarify the definitions of a hull and a deck; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am happy to join with Senators CORNYN, KOHL, and WHITEHOUSE as we introduce the Vessel Hull Design Protection Act Amendments of 2008. An earlier version of this small but important piece of legislation was passed unanimously by both the Judiciary Committee and the full Senate last year. The updated version of the bill that we offer today reflects conversations we have had recently with the Navy and gives the Department of Defense full assurance that Government and defense designs will not be subject to unwarranted restrictions.

Congress passed the Vessel Hull Design Protection Act in 1998 to recognize the significant time, effort, and innovation involved in ship design. Litigation under the bill, however, has made it clear that in order to be effective, this law needs to be clarified and refined. Our bill does exactly this, and no more, by clarifying the definition of "hull" and "deck." This ensures that the intellectual property rights of vessel hull designers will be protected. I hope the Senate will move quickly to pass this revised, bipartisan legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3106

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VESSEL HULL DESIGN PROTECTION.

(a) SHORT TITLE.—This section may be cited as the "Vessel Hull Design Protection Amendments of 2008".

(b) DESIGNS PROTECTED.—Section 1301(a) of title 17, United States Code, is amended by striking paragraph (2) and inserting the following:

"(2) VESSEL FEATURES.—The design of a vessel hull, deck, or combination of a hull and deck, including a plug or mold, is subject to protection under this chapter, notwithstanding section 1302(4)."

(c) EXCEPTIONS.—Section 1301(a) of title 17, United States Code, is amended by adding at the end the following:

"(3) EXCEPTIONS.—Department of Defense rights in a registered design under this chapter, including the right to build to such registered design, shall be determined solely by operation of section 2320 of title 10, the United States Code, or by the instrument under which the design was developed for the United States Government."

(d) DEFINITIONS.—Section 1301(b) of title 17, United States Code, is amended—

(1) in paragraph (2), by striking "vessel hull, including a plug or mold," and inserting "vessel hull or deck, including a plug or mold,";

(2) by striking paragraph (4) and inserting the following:

"(4) A 'hull' is the exterior frame or body of a vessel, exclusive of the deck, superstructure, masts, sails, yards, rigging, hardware, fixtures, and other attachments.";

(3) by adding at the end the following:

"(7) A 'deck' is the horizontal surface of a vessel that covers the hull, including exterior cabin and cockpit surfaces, and exclusive of masts, sails, yards, rigging, hardware, fixtures, and other attachments.".

By Mr. BINGAMAN (for himself and Mr. HATCH):

S. 3107. A bill to require the payment of compensation to members of the Armed Forces and civilian employees of the United States who were forced to perform slave labor by the Imperial Government of Japan or by corporations of Japan during World War II, or the surviving spouses of such members, and for other purposes; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, I rise today with my colleague Senator HATCH to introduce legislation to acknowledge the heroic contributions of American ex-prisoners of war who were forced into slave labor by the Imperial Government of Japan during the Second World War. The bill would award a one-time compensation of \$20,000 to each surviving veteran, government employee, or government contractor who was imprisoned by the Japanese during World War II and forced to perform slave labor to support Japan's war effort. The bill would also extend that compensation to surviving spouses of such veterans or employees. While this compensation is only a small token of our Nation's gratitude, it is my hope that it serves as recognition of the vital military contributions and sacrifices made by these individuals, particularly as those Americans who sacrificed so much approach their final years.

From December 1941 to April 1942, American military forces stationed in the Philippines fought valiantly for almost 6 months against overwhelming Japanese military forces on the Bataan peninsula. As a result of that prolonged conflict, U.S. forces prevented Japan from achieving its strategic objective of capturing Australia and thereby dooming Allied hopes in the Pacific theater from the outset of the war.

Once captured by the Japanese, American prisoners of war in the Philippines endured the infamous "Death March" during which approximately 730 Americans died en route to the notorious Japanese prison camp north of Manila. Of the survivors of the March, more than 5,000 more Americans perished during the first 6 months of captivity. The Japanese forced many of those who survived captivity to embark on "hell ships"—unmarked merchant ships—to be transported to Japan to work as slave laborers in company-owned mines, shipyards, and factories. Tragically, many of our own men perished in those unmarked vessels, victims of attacks by American military aircraft and submarines who were unaware that American POWs were aboard those ships. The stories of other American military and civilian employees captured by the Japanese at Wake Island, Java, Manchuria, Taiwan, and other locations in the Pacific and

enslaved to support the war effort are equally compelling.

The heroic performance of our soldiers at Bataan and during incarceration in POW camps earned them well-deserved citations following the war. For example, the 200th and 515th Coastal Artillery units from New Mexico that served to defend the retreating troops at Bataan received three Presidential Unit Citations and the Philippine Presidential Unit Citation for their heroism. New Mexico is particularly proud of these men whose heroism I seek to salute through this legislation today.

Sadly, the Americans who were enslaved by Japan have never been adequately compensated for the excruciating sacrifices they made while in Japanese military and company prisons and labor camps. In the War Claims Acts of 1948 and 1952, our Government paid former U.S. prisoners of war \$1.00 per day for "missed meals" during their captivity, and later, \$1.50 per day for "forced labor, pain, and suffering." Even those paltry compensations were not widely known about or received by all veterans who qualified for them. In addition, efforts to obtain appropriate compensation from the Government of Japan, or from Japanese companies through litigation, have been unsuccessful and are not likely to succeed in a timely enough manner to compensate surviving veterans or others who would be eligible.

Other Allied nations have already set international precedent to honor their enslaved veterans. Allied governments, including Canada, New Zealand, Australia, Norway, the Netherlands, and the United Kingdom have authorized compensation gratuities. For example, in 1998, the Canadian Government authorized the payment of \$15,600, Canadian dollars, to veterans who were captured in Hong Kong and enslaved by the Japanese. And in 2000, Prime Minister Tony Blair announced a multi-million pound compensation fund for former enslaved Japanese prisoners of war in recognition of their heroic experiences. It is long overdue for our own Nation to provide similar compensation to those who gave so much to defend and preserve our freedom.

Approximately 10 years have passed since I began advocating for passage of this type of compensation, and in that time, many of these brave heroes who deserve recognition have already passed away. Fortunately, Congress still has time to honor those individuals who are alive today to share their courageous and heartrending stories. For this reason, I believe the Congress should avoid any further delay and act as soon as possible to enact this important legislation. I thank Senator HATCH for agreeing to cosponsor this legislation, and I urge my fellow Senators to support it.

By Mr. KERRY (for himself, Mrs. DOLE, and Mr. KOHL):

S. 3108. A bill to require the President to call a White House Conference

on Food and Nutrition; to the Committee on Agriculture, Nutrition, and Forestry.

Mrs. DOLE. Mr. President, in 2003, I made my maiden floor speech on hunger issues and how we as a Nation can tackle them. I have continued my strongest efforts to raise awareness that 1 in 10 U.S. households is affected by hunger and to advance legislation and programs that aid the hungry.

Today is Hunger Awareness Day, and as I have in years past, I welcome the opportunity to speak about the food insecurity problems that persist throughout this country and the world. Most importantly, I come to offer ideas and invigorate the discussion about solutions.

With food and energy prices on the rise, we must be particularly cognizant of the hungry. Not only do hard economic times generate a greater need for food assistance, but the very agencies and organizations that provide assistance are trying to meet growing demands while food and gas grow more expensive.

In the past few months, I have read numerous stories in North Carolina newspapers about soup kitchens and food banks struggling to serve all those in need and even schools strapped for cash to pay for their lunch programs.

For example, last weekend, the Asheville Citizen-Times ran a letter to the editor from MANNA FoodBank which said:

In 2006, we estimated that 115,500 different North Carolinians sought emergency food aid from MANNA partner agencies in a single year—one in six of our neighbors. However, that data has rapidly become outdated by shifting economic tides. Surging energy and food prices combined with stagnant economic growth have dramatically increased the ranks of those seeking help from food banks.

In the May 29, 2008 Raleigh News & Observer, David Reese, the chief operating officer for food recovery and distribution at the Inter-Faith Food Shuttle, is quoted as saying:

A lot of people don't realize or don't take into account the dramatic effect that high fuel prices have, that trickle-down effect. . . . It doesn't only affect the regular consumer who is driving to the store. It also affects the distributor, also affects the retailer and then the end result, it affects us as a food-rescue organization.

Unfortunately, we know too well high food prices and hunger problems are not unique to North Carolina or even just to the United States. Indeed, as food prices continue to soar, the impacts are felt around the globe, especially among the poor in developing nations. The increase in food costs has led to international shortfalls of food supplies, resulting in food riots and civil unrest in many regions. In fact, the World Bank recently estimated that more than 100 million people are being pushed into poverty as a result of the escalation of food prices.

Congress needs to take action to ensure that policies are helping, not hurting, global food supply. For example, I

believe we must reconsider mandating the use of certain biofuels which is, in part, why food prices are escalating. Last month, I joined several of my colleagues in introducing legislation to freeze the corn-based ethanol mandate at this year's level, preventing the Environmental Protection Agency from increasing the corn-based ethanol mandate included in the Energy Act of 2007 to the mandated 15 billion gallons. Instead, my legislation maintains the current level at 9 billion gallons.

During consideration of the 2007 Energy bill, I tried to include a safeguard in the renewable fuel standard which would have helped prevent a situation such as we face today. Mandates have led to more than 25 percent of America's corn crop being diverted to make fuel. In the last 2 years, the price of corn has nearly tripled, thereby resulting in feed price increases that impact the cost of items such as milk, eggs, and meat. According to the Bureau of Labor Statistics, food inflation rose by 4.9 percent last year, and studies suggest the cost of food will continue to escalate over the next few years.

While we continue to push for efforts to address rising food prices, we can celebrate some hard-fought victories in the recently passed farm bill that will support healthy foods in schools and health food banks, community kitchens, and other organizations that feed the hungry. For instance, I am pleased the farm bill's nutrition title expands the Fresh Fruit and Vegetable Program to all 50 States. In North Carolina, nearly 1.4 million children are enrolled in this program, which helps schools purchase locally farmed fruits and vegetables to provide healthy meals and fight childhood obesity. The bill also includes \$1.25 billion for commodity purchases for food banks, including \$50 million for 2008 to immediately address shortages at these organizations.

The farm bill also implements the Food Employment Empowerment and Development Program, the FEED Program, which I worked on with my colleagues Senators FRANK LAUTENBERG and BLANCHE LINCOLN. This program helps fight hunger by combining food rescue with job training and, thus, teaching unemployed and homeless adults the skills needed to work in the food service industry. It is a wonderful program.

Around the corner from the U.S. Capitol, students are hard at work in the DC Central Kitchen's culinary job-training class. Earlier today, I visited the kitchen which has a model FEED-type program that began in 1990. It is always a privilege to visit the kitchen and meet with individuals who faced adversity but who are now on track for a career in the food service industry. I look forward to the FEED Act supporting numerous similar programs, such as the Community Culinary School in Charlotte, NC, and others around the Nation.

In my ongoing efforts to stamp out hunger, today I am joining my colleague, Senator JOHN KERRY, to introduce legislation requiring a White House Conference on Food, Nutrition, and Health to be held by the end of 2010. It has been nearly 40 years since the first and only White House summit reviewed national nutrition policy. I actually helped organize that conference while working for the White House Office of Consumer Affairs.

Positive developments and effective policies came out of those discussions. With more than 35 million Americans today facing food insecurity issues, it is high time we make ending hunger and improving health and nutrition national priorities. I encourage my colleagues to sign on to my bill.

This week, I also plan to offer an amendment to the tax extenders bill that addresses four tax issues which will encourage food donations and volunteering to help the hungry. This package was included in the Senate-passed farm bill but, unfortunately, was removed in conference. It will extend for 2 years a provision from the Pension Protection Act that allows any taxpayer to claim an enhanced deduction for donations of food. It allows restaurants to qualify for this deduction. It simplifies the rules that allow farmers and ranchers to take advantage of this deduction for donating their products. And it allows volunteers to receive a tax deduction for mileage incurred while transporting food donations.

Along these lines, I also have a bill that will provide a tax credit for the cost of transporting food to assist the hunger relief efforts of charitable organizations. The hunger relief trucking tax credit will benefit groups such as the Society of St. Andrew, which helps recover food for the needy. The society is very active in the area of gleaning. Mr. President, where excess crops that would otherwise be thrown out are taken from farms, packinghouses, and warehouses, and distributed to the needy. Each year in this country, 696 billion pounds of good, nutritious food is left over or thrown away. Gleaning helps eliminate this waste. It helps the farmer because he doesn't have to haul off or plow under crops that don't meet exact specifications of grocery chains, and it helps the hungry by giving them nutritious fresh foods. It has been a joy to glean fields in North Carolina with the society's dedicated volunteers.

In addition to working closely with the Society of St. Andrew, I have been fortunate to meet with a number of organizations that are doing tremendous work to combat hunger in North Carolina—from our food banks to Meals on Wheels and others. These organizations rely on dedicated staff and volunteers who truly live by the ideal of helping others in their time of need.

Before I close, let me share an experience I had as president of the American Red Cross. I visited Somalia during the heart-wrenching famine. In Baidoa, I

came across a little boy lying under a gunnysack, and I thought he was dead. His brother pulled back that gunnysack and sat his little brother up, and I could see that he was severely malnourished. There was no way that he could eat the rice and beans that were in a bowl there beside him, and so I asked for camel's milk to feed him. And as I put my arm around that little boy to lift that cup to his mouth, it was incredible, the feeling of the little bones almost piercing through his flesh. It is something I will never forget. That is when the horror of starvation becomes real, when you can touch it.

Since I encountered that little boy in Somalia so many years ago, I have been determined to do everything in my power to fight hunger, not just at home but also internationally. For example, I have been proud to work with Senator DICK DURBIN in promoting the McGovern-Dole International Food for Education and Child Nutrition Program. It has reduced hunger among school-aged children and improved literacy and primary education enrollment in areas where conflict, hunger, poverty, and HIV/AIDS are prevalent.

While tackling hunger beyond our borders is a greater challenge, in the United States, the land of plenty, no American—no American—should wake up wondering whether he or she will have enough to eat today. I firmly believe with dedicated organizations, caring citizens, and a focused government working together, ending hunger in America is certainly a victory within reach.

By Mr. THUNE (for himself, Mr. CARDIN, and Mr. LAUTENBERG):

S. 3109. A bill to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system; to the Committee on Environment and Public Works.

Mr. THUNE. Mr. President, I rise today to introduce a bipartisan bill that seeks to update the way in which the Federal Government tracks the shipment of hazardous waste. I am pleased that Senators CARDIN and LAUTENBERG have joined me in introducing this bill, which builds upon the bipartisan legislation I introduced last Congress with Senator Jeffords and Senator INHOFE when I served as chairman of the Environment and Public Works Subcommittee on Superfund and Waste Management.

Simply put, our legislation would direct the Environmental Protection Agency to begin a much needed transformation of the tracking of hazardous wastes. While the Resource Conservation and Recovery Act, RCRA, that Congress passed in 1976 has done a great deal to protect human health and the environment, the paper manifest process that is used to track federally-regulated hazardous wastes from "cradle to grave" has turned into the single

largest continuous paperwork burden imposed on regulated entities under Federal environmental law.

On an annual basis, roughly 139,000 regulated entities track anywhere between 2.5-5 million hazardous waste manifests. This paperwork burden has been estimated to cost states and the regulated community between \$200 million and \$500 million annually. This is largely due to the fact that each paper manifest is comprised of numerous carbon copies that must be signed, mailed to waste generators and State agencies—and then ultimately stored by each regulated entity. To underscore just how cumbersome this paper manifest is, the Environmental Protection Agency has noted that roughly 22 States don't even keep copies because it represents too large of a paperwork burden.

The benefits of using electronic manifests are numerous and each of the witnesses who testified at the EPW Subcommittee hearing that I chaired on September 26, 2006 spoke to the benefits it would have—both in terms of improving federal oversight of hazardous waste transport and lessening the paperwork burden on regulated entities.

I would like to stress that this legislation builds upon the measure I introduced last Congress and incorporates a handful of changes made at the request of various stakeholders, including Senator BOXER who now chairs the EPW Committee.

Because of the broad support that this measure enjoys, I look forward to the long awaited mark-up of this bill before the EPW Committee. I would like to thank both Senator CARDIN and Senator LAUTENBERG for their support as we work to improve the arcane system currently utilized to track hazardous waste shipments. Transitioning to an electronic system is long overdue and this legislation would be paid for by the users of the system—the generators and waste companies that handle hazardous waste.

In closing I would like to highlight just one of the statements of support I received for the legislation that I began working on over 2 years ago. The following statement of support came from Terrence Gray, President of the Association of State and Territorial Solid Waste Management Officials, who noted:

It is appropriate, many would say overdue, in the 21st Century economy to have the capability of using electronic reporting for such a tracking system, and we are supportive of your efforts to initiate this process. It is our understanding that [this bill] is the necessary first step in designating the detailed system for electronic manifesting, and for that reason we think it should go forward.

I trust that my colleagues will recognize the benefits of setting up an electronic manifest system as is envisioned under the Thune-Cardin bill we have introduced today.

Mr. CARDIN. Mr. President, I join the Senator from South Dakota, Mr.

THUNE, in cosponsoring a bill to modernize the tracking of hazardous waste. The Federal waste law requires the tracking of hazardous waste from "cradle to grave." This tracking system is designed to provide an enforceable chain of custody for hazardous wastes. The law provides a strong incentive for transporters to manage the waste in a responsible fashion. The U.S. Environmental Protection Agency's economic analysis estimates that over 139,000 regulated entities track between 2.4 and 5.1 million shipments a year.

This system provides for appropriate stewardship of the hazardous waste products of our modern world. Unfortunately, the tracking system itself is in serious need of modernization.

Currently, the tracking is handled entirely through a paper manifest system. The paperwork burden is enormous. Each manifest form has 7 or 8 copies, which currently must be manually filled out and signed with pen and ink signatures, physically carried with waste shipments, mailed to generators and state agencies, and finally stored among facility records.

The paperwork burden is so great that 22 States and the EPA do not even collect copies of the forms. Those that do so get their copies months after the waste has been shipped. In the vast majority of cases, the only time regulators look at the manifests is during inspections or after a disaster to identify the responsible parties.

Under the Thune-Cardin bill, the paper manifest will be replaced by an electronic manifest. The bill sets up a funding system for the manifest paid for by the users of the system, the generators, and waste companies that handle hazardous waste.

An e-manifest system would remove a tremendous paperwork burden, assist the States in receiving data more readily in a format they can use, improve the public's access to waste shipment information and save over \$100 million every year. First responders could get data in real-time. That is why groups as varied as Dow Chemical, Sierra Club and the Association of State, Territorial, Solid Waste Management Officials support this bill.

EPA does not have the funding to set up this system, so the bill uses a unique way to contract for the work. Companies will "bid" to set up the system at their cost and risk. They will be paid back on a per manifest basis by the users, waste generators, and handlers. This puts the burden on the private company or companies to meet the needs of the users of the system. The legislation is needed so that the funds collected go to the operation of the program rather than go to the general treasury.

A hearing was held on this issue in 2006 on a similar bill, S. 3871 introduced by Senators THUNE, Jeffords, and INHOFE. No serious objections were made at that time and strong support was expressed by all the witnesses including EPA.

This is legislation that is overdue. I ask Members to join us in supporting this legislation which has garnered the backing of industry, States, and environmental groups. It is time for the waste manifest system to move into the 21st Century.

By Mrs. FEINSTEIN:

S. 3110. A bill for the relief of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am introducing a private relief bill on behalf of Ruben Mkoian, his wife, Asmik Karapetian and their son, Arthur Mkoyan. The Mkoian family are Armenian nationals who have been living and working in Fresno, California for over a decade.

The story of the Mkoian family is compelling and I believe they merit Congress' special consideration for such an extraordinary form of relief as a private bill.

Let me first start with how the Mkoian family arrived in the United States. While in Armenia, Mr. Mkoian worked as a police sergeant at in a division dealing with vehicle licensing. As a result of his position, he was offered a bribe to register 20 stolen vehicles.

He refused the bribe and reported the incident to the police chief. He later learned that his co-worker had registered the vehicles at the request of the chief.

After he reported the offense, Mr. Mkoian's supervisor informed him that the department was to undergo an inspection. Mr. Mkoian was instructed to take a vacation during this time period. Mr. Mkoian believed that the inspection was a result of the complaint that he had filed with the higher authorities.

During the inspection, however, Mr. Mkoian worked at a store that he owned rather than taking a vacation. During that time, individuals kept entering his store and attempted to damage it and break merchandise. When he threatened to call the police, he received threatening phone calls telling him to "shut up" or else he would "regret it." Mr. Mkoian believed that these threats were related to the illegal vehicle registrations occurring in his department because he had nothing else to be silent about.

Later that same month, three men grabbed his wife and attempted to kidnap his child, Arthur, on the street. Mrs. Mkoian was told that her husband should "shut up." No one suffered any injuries from the incident. In October 1991, a bottle of gasoline was thrown into the Mkoian's residence and their house was burned down. The final incident occurred on April 1, 1992, when four or five men assaulted Mr. Mkoian in his store. He was beaten and hospitalized for 22 days.

Following that experience, Mr. Mkoian left Armenia for Russia, and then came to the United States on a

visitor's visa in search of a better life. Two years later he brought his wife Asmik and his then 3-year old son Arthur to the United States, also on visitor's visas. The family applied for political asylum, but the 9th Circuit Court of Appeals denied their request in January 2008. Thus, the family has no further legal recourse by which to remain in the country other than this bill.

Since arriving in the United States, the family has thrived. Arthur is now 17 years old and the family has expanded to include Arsen, who is a U.S. citizen.

Both Arthur and Arsen are very special children. What is noteworthy about Arthur, is that out of the 562 students graduating from Bullard High School he is one of three valedictorians for the Class of 2008. Today is his graduation day. He has long dreamed of attending the University of California, Davis. He was accepted this past Spring and plans to complete a degree in chemistry. In addition to maintaining a 4.0 grade point average and taking a rigorous academic course load, Arthur also finds the time to volunteer at the St. Agnes Medical Center emergency room.

Arsen is following in his older brother's footsteps. At age 12, he stands out among his peers at Kratt Elementary School and has been invited to apply to the magnet Computech Middle School next year.

In addition to raising two outstanding children, Mr. and Mrs. Mkoian have maintained steady jobs and have devoted time and energy to the community and their church. Mr. Mkoian has been employed for years at G.A.C. Trucking in Glendale, California. According to his supervisor, he is one of their best employees, having earned a reputation for trustworthiness and skill.

His wife, Asmik, has also been working part-time for 4 years at Gottshalks department store. In addition, she has taken classes at Fresno Community College and has completed their Medical Assistant Program.

The family are active members of the St. Paul Armenian Church, and Mr. Mkoian is a member of the PTA of the St. Paul Armenian Saturday School.

There has been an outpouring of support for this family from their church, the schools their children attend, and the community at large.

To date, we have received over 200 letters of support for the family in addition to numerous telephone calls. I also note that I have letters from both Congressman GEORGE RADANOVICH and JIM COSTA, requesting that I offer this bill for the Mkoian family.

I truly believe that this case warrants our compassion and our extraordinary consideration.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 3110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR RUBEN MKOIAN, ASMIK KARAPETIAN, AND ARTHUR MKOYAN.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian enters the United States before the filing deadline specified in subsection (c), Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed, with appropriate fees, not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent residence to Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoian under section 202(e) of such Act.

HOUSE OF REPRESENTATIVES,
Washington, DC, June 5, 2008.

Hon. DIANNE FEINSTEIN,
U.S. Senate, Senate Hart Building, Washington, DC.

DEAR SENATOR FEINSTEIN: It was a pleasure speaking with you today regarding the pending June 20 deportation of Arthur Mkoian and his family. I appreciate you taking the time to discuss this issue with me.

From the limited details I have been provided, it appears there is no feasible judicial remedy that would allow Mr. Mkoian to remain in the United States. Therefore, from what my office has determined, the only immediate solution requires Senate introduced private immigration legislation. As you know, doing so can result in a stay of deportation for the subject of the legislation.

Based on the information my office is currently privy to, Mr. Mkoian's case appears to be one that would merit introduction of this type of legislation. Although this is very unlikely to be effective in the House, previous legislation of this nature has been successful in the Senate.

I am aware that you have been willing in the past to sponsor bills for this purpose. To that end, I stand ready to lend my support if after a thorough review of Mr. Mkoian's previous case history, you find such legislation appropriate.

I will continue to review the situation as it progresses and look forward to working with you in our efforts to help Mr. Mkoian and his family. Thank you for your prompt attention to this matter.

Sincerely,

GEORGE RADANOVICH,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 6, 2008.

Hon. DIANNE FEINSTEIN,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR FEINSTEIN: As you are well aware, Mr. Arthur Mkoian and his family are facing pending deportation back to Armenia. From the limited details I have been provided, it appears that there is no existing judicial remedy which would allow Mr. Mkoian to remain in the United States. Unless any further steps are taken, Mr. Mkoian and his mother will be deported to Armenia.

Please know as this issue moves forward I am ready to support you where I can, and work with you to assist Mr. Mkoian and his family.

Thank you for your attention to this important matter.

Sincerely,

JIM COSTA,
Member of Congress.

G.A.C. TRUCKING,
Glendale, CA, June 2, 2008.

I, Ashot Gharibyan, the owner of GAC Trucking do hereby certify that Ruben Mkoian was one of my best employees. After his leave my business slowed down because I could not find any other driver as trustworthy and knowledgeable in his work as Ruben Mkoian. He knows his job and has never given me any problems. I still need him to improve my business without him it will be impossible to put my business back to normal.

Your attention to this matter is greatly appreciated.

ASHOT GHARIBYAN,
President.

DEAR SENATOR FEINSTEIN: On behalf of my son Arthur Mkoian, 2008 Valedictorian of Fresno's magnet Bullard High School, I write to explain why our family should be allowed to stay in the United States. Time is of the essence as our deportation is imminent, and Arthur has been accepted to begin UC Davis this fall.

My husband Ruben Mkoian came to the United States in 1992 and applied for political asylum. After two years I came with Arthur, and we became part of Ruben's case. After seven years Ruben was granted an interview with an immigration officer, but was denied. As the law allows, we appealed our case in an immigration court. Our case was denied again, but believing in our situation, we appealed to the Ninth Circuit. Unfortunately, this effort failed last March.

We entered this country legally, and worked hard from the first day. None of us have any criminal record. We respect the laws, pay taxes, and admire America deeply. It is in this context of civic respect that our sons were raised, and in which we appeal to you for support. Each of the four of us is valuable to the United States. In addition to his academic achievements, my son Arthur serves as an emergency room volunteer at Saint Agnes Medical Center in Fresno. My younger son Arsen, who was born in America, is a standout performer at Kratt Elementary School, earning an invitation to apply to the magnet Computech Middle School. I am proud to have put myself through Fresno City Community College, completing the Medical Assisting program. And my husband Ruben was so valuable at

his place of employment that the owner, suffering a revenue loss due to Ruben's detention, writes in the attached letter that Ruben's return is economically necessary.

I implore you to introduce into the United States Senate a Private Bill that would halt our deportation. Our Immigration and Customs Enforcement case number is A70-783-979. As a mother, wife, and woman, I beg you to enable our sons to fulfill their gift of intellect in the California they love, and to enable our family to meaningfully contribute to the America to which we so sincerely yearn to belong.

Yours most truly,

ASMIK KARAPETIAN,
Mother.
ARTHUR MKOIAN,
age 17.
ARSEN MKOIAN,
age 12.

BULLARD HIGH SCHOOL,
Fresno, CA, May 27, 2008.

SENATOR DIANNE FEINSTEIN,
Tulare,
Fresno, CA.

DEAR SENATOR FEINSTEIN: Artur Mkoian has asked me to write a letter of reference, related to a problem with his and his family's immigration status.

Artur has been my student at Bullard High School for two years, last year in Honors Chemistry and this year in Advanced Placement Chemistry. He is a fine student, achieving A and B grades in my classes and maintaining a 3.50 GPA overall, including five Advanced Placement classes. I have found him to be a consistent and reliable student, willingly attending the weekly evening lab sessions and conscientious about getting all of his work done. I have complete confidence in his integrity.

I think he found it difficult to ask me for this letter, because he and his family seem very proud and self-sufficient. I know he will be successful at college next year and will be an asset to the community when he finishes his education. If I can supply any further information, please do not hesitate to contact me. I am including both my school and home contact information, as the school year is drawing to a close.

Sincerely,

CHRISTINE LINDLEY,
Science Department.

BULLARD HIGH SCHOOL,
Fresno, CA, May 29, 2008.

Senator DIANNE FEINSTEIN,
Tulare St.,
Tulare, CA.

DEAR SENATOR FEINSTEIN: I am writing this letter for Artur Mkoian—who has been my student for two years. He is a bright young man with potential for an incredible future.

Artur was in my sophomore GATE English class, performing well and contributing the learning environment. As an Advanced Placement student, he continued to work hard and excel. It was always interesting to read his writing and to watch his literary performances. He continues to visit me during this—his senior year. I know that he has high hopes for a college education—the American Dream—in the United States.

I know that Artie was an immigrant—however, I did not know of his family's troubles until recently. Apparently, they have lived and worked in the San Joaquin valley for fourteen years. He told me that their citizenship application was denied, and that the entire family may be deported.

I was asked to write this letter to see if you could intervene. I have the utmost respect for you as a politician, as I have been an avid Democrat and a liberal and liberated woman for many years. I hope that you can help this family in their time of need. Thank you for your time and for your consideration.

Most sincerely,
MYRL W. JOHNSON,
English.

ARMENIAN-AMERICAN
CITIZENS' LEAGUE,
Fresno, CA, June 6, 2008.

Senator DIANNE FEINSTEIN,
*One Post Street,
San Francisco, CA.*

DEAR SENATOR FEINSTEIN, Last evening, 5 June, the Fresno Chapter of the Armenian-American Citizens' League held its monthly meeting. During the course of business, the Arthur Mkoyan situation was brought up.

By unanimous decision, the members wished to contact you and to request your attention to this situation.

However, when I returned home and turned on the late news, the report was that you have already intervened in this situation.

I am certain that our members who have also heard this news by now are very grateful and relieved.

The purpose of this letter now is changing from request to intervene to appreciative thanks for your action.

Our League was established in the 1930's to help immigrant Armenians. Even though our goal is still that and we have come a long way, we still remain vigilant.

Thank you for your action. We will be eagerly awaiting the final disposition—hopefully, a positive one.

Please contact us if there is anything else that we can do to help the cause.

Verily,
MS. PENNY MIRIGIAN,
Secretary.

HOLY TRINITY ARMENIAN
APOSTOLIC CHURCH,
Fresno, CA, June 5, 2008.

Senator DIANNE FEINSTEIN,
*Hart Building,
Washington, DC.*

DEAR SENATOR FEINSTEIN: I am writing on behalf of Mr. Arthur Mkoyan. As you know Mr. Mkoyan and his family have a deportation judgment which is due end of June 2008. Arthur Mkoyan was two years old when his family came to this great country seeking freedom and justice and they have worked hard to achieve the American Dream.

Arthur will be graduating on Tuesday June 10 from Bullard High as a Valedictorian. He is hard working, honest and we should be proud of him because he is a great asset to our country. Arthur has already been accepted to begin his College education at UC Davis next Fall with Chemistry as his major.

Dear Senator Feinstein I urge you to intervene and introduce the Private Bill this week so that our country doesn't lose a brilliant future scientist.

Thank you for your consideration may God bless you for your services to our Nation. GOD BLESS AMERICA.

Prayerfully,
FR. VAHAN GOSDANIAN,
Pastor.

ST. PAUL ARMENIAN CHURCH,
Fresno, CA, May 29, 2008.

TO WHOM IT MAY CONCERN: I am writing in support of Ruben Gabriel Mkoyan. Mr. Mkoyan was born in Yerevan, Armenia on December 14, 1961 and resettled in Fresno, CA in 1992 with his family: his wife Asmik (nee Karapetian), and children Arthur (b. Oc-

tober 17, 1990 in Yerevan, Armenia) and Arsen (B. March 13, 1996 in Fresno, CA). The Mkoyan Family is very active in the Armenian community of Fresno, and valuable members of the St. Paul parish. They are much loved and respected by everyone in the community.

Mr. Mkoyan has worked very hard to provide for his family and is a model citizen with his work ethic and active participation in the life of the community. He has served on the PTA of St. Paul Armenian Saturday School and has contributed his time and means in the service of others.

I am saddened to hear that after all these years his status in the United States is in jeopardy. As his pastor and as a person who knows the family I stand in support of Mr. Ruben Mkoyan and his family to establish legal permanent residency in the United States.

Sincerely,
(The Rev. Fr.) ARSHEN AIVAZIAN.

FRESNO UNIFIED SCHOOL DISTRICT,
Fresno, CA, May 5, 2008.

DIANNE FEINSTEIN,
*U.S. Senator,
One Post Street, San Francisco, CA.*

DEAR SENATOR FEINSTEIN, This letter is written on behalf of Arsen Mkoian, a gifted sixth grade student at Kratt elementary School in Fresno, California. Arsen and his family are scheduled to be deported in approximately three weeks from the United States unless a private bill is introduced in the Senate to stop deportation. The Immigration and Customs Enforcement case number is I A70-7S3-979. Arsen is a model student and citizen.

Arsen has consistently been a role model for student behavior since he began attending Kratt in kindergarten. Attendance and parent support have been excellent. Arsen maintains a 3.8 grade point average in his sixth grade class this year, a 4.0 in kindergarten, first, second, third and fifth grades, and a 3.8 in fourth grade. In addition, he will receive Kratt's highest honor, the "President's Education Award" which is signed by President Bush and accompanied with a commendation letter from President Bush. This rare Kratt honor is based on stringent academic and behavior standards students must meet for three continuous years in fourth, fifth and sixth grades.

Socially, Arsen is well liked and respected. He receives our monthly "Bulldog Award" every year which recognizes him as a model citizen in his classroom. In fact, Arsen was chosen to support a fellow student in need by teaming up with him as a "buddy" this year in his sixth grade classroom.

Kratt's top leaders are chosen to participate in our Traffic Patrol Club. Arsen is not only a member but was also elected as captain of the Traffic Club this year, a tribute to his strong character. Arsen's name also shows up on the Math Club list almost every semester, an honor difficult to achieve. He has been invited to apply to the magnet Computech Middle School in Fresno because he is a standout student.

Arsen and his family have set high standards and worked hard in our educational setting to achieve them. Senator Feinstein, please recognize Arsen's outstanding effort and achievement by your timely intervention of introducing the Private Bill this week so we can keep an intellectually gifted young person and his family in our state. We appreciate your considering this important matter.

Sincerely,
TERRI BRICKER,
*Kratt Elementary
School Principal.*
RANDY BROWN,

Kratt Elementary
School Sixth Grade
Teacher.

I was acquainted with Asmik Karapetian in 1995. I met her at the Armenian Saint Paul church, where we were teaching children Armenian. We instantly became good friends mainly because we both had similar purposes in life for our children to raise well educated and responsible citizens for this country.

Later I met her husband Ruben Mkoian, also a very noble man. I remember when my husband and I visited them the first time to entertain us Ruben played guitar while singing along beautifully.

I will not forget how one day Asmik called me and gave me the good news of their second son's arrival. She was thrilled and so were we. I know their boys, Arthur and Arsen, both very humble and nice boys. We admired Arthur's achievements in school. He is graduating this year with an excellent GPA.

Recently Asmik called me in tears telling me her family received a letter that they were to be deported. My family and I were in utter shock. Why? Asmik and Ruben are two very hard-working people with two wonderful children whose future is very promising. It's tragic that after residing here for more than ten years this would happen now.

I am humbly asking you to look the circumstances over and allow Asmik and her family to live in this country. I have faith that you will help this family to reach their American dreams.

Sincerely,
ANAHIT BAGDASARIAN.

DEAR DIANE FEINSTEIN, The family of Ruben Mkoian is very dear to me. I have known them for over 10 years and I'd like for you to get to know them a little as well. Their entire family, including each and every member, is very kind and treats all with respect and always keeps their dignity. I am proud to have had a chance to get to know them and I have come to be very fond of how this family coped with what has been thrown to them. My son, who grew up and attended school with their eldest, Arthur, always stated how he admired his qualities and good behavior. Arthur, a very intelligent young boy, had plans preceding his acceptance, to attend the University of California, Davis, his dream school. He worked very hard since grade school and his acceptance alone is proof enough that Arthur meets any standards imposed upon him. Arthur and I would like to say every individual of their family is outgoing, loving, kind, hard-working, and fit amongst the most intelligent. They do not get into the bad habits that most amongst us keep hidden. We need people like the Mkoians in our society. They keep peace and quiet and yet have firmly established themselves into our working field, schools, and have the most positive influence over our friends and family. It would be a shame to lose such people if they were leaving on their own, and nonetheless were kicking them out. I wish you could know them the way I have. They have truly grown into the most admirable U.S. inhabitants.

Thank you for your time and consideration. We hope with all our hearts that you make the right decision.

KARIN ANTIKYAN.

DEAR U.S. SENATOR DIANNE FEINSTEIN, Our family is a great family friend of the Mkoian Family. We have known them since 1993. They are a very friendly family. Our children grew up with their children. Their children are amazing in school by the grades they get Ruben and Hasmik are excellent parents.

They have been next to us on our good and bad days. We think that they deserve to stay in the United States of America for their children and the future of their lives. We can't imagine how hard it will be not seeing, them, not only for us but everyone else. In the future we will need this wonderful family for a better community. Please keep all this in mind because they are a great family and we wouldn't like to see them out of our sight. We hope that you will do everything so that they will not be deported and they will stay in the United States of America. Thank you for your time.

Sincerely,

ANI IDZHANYAN.
MARGARIT DUMANYAN.
RIMMA MARKARYAN.
OGANES IDZHANYAN.
ARSHALUYS IDZHANYAN.
AKOP IDZHANYAN.
GEVORK IDZHANYAN.
HARUT IDJIAN.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 589—DESIGNATING THE WEEK BEGINNING JUNE 9, 2008, AS "NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK"

Ms. STABENOW (for herself and Ms. SNOWE) submitted the following resolution; which was considered and agreed to:

S. RES. 589

Whereas the Healthcare Information and Management Systems Society has worked collaboratively with more than 60 stakeholder organizations for more than 47 years to transform healthcare with improved uses of information technology and management systems;

Whereas the Center for Information Technology Leadership estimates that the implementation of national standards for interoperability and the exchange of health information would save the United States resources relating to healthcare each year;

Whereas healthcare information technology has been shown to improve the quality and safety of the delivery of healthcare in the United States;

Whereas healthcare information technology and management systems have been recognized as essential tools for improving the quality and cost efficiency of the healthcare system;

Whereas the President and the Secretary of Health and Human Services have made a commitment to leverage the benefits of the healthcare information technology and management systems by establishing the Office of the National Coordinator for Health Information Technology and the American Health Information Community;

Whereas Congress has placed an emphasis on improving the quality and safety of the delivery of healthcare in the United States; and

Whereas, since 2006, organizations across the United States have come together to support National Health Information Technology Week to improve public awareness relating to the potential benefits of the improved quality and cost efficiency that the healthcare system could achieve by implementing healthcare information technology: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning June 9, 2008, as "National Health Information Technology Week";

(2) recognizes the value of healthcare information technology and management systems in transforming healthcare for the people of the United States; and

(3) calls upon all stakeholders to promote the use of healthcare information technology and management systems to transform the United States healthcare system.

SENATE RESOLUTION 590—CELEBRATING THE 233RD BIRTHDAY OF THE ARMY AND COMMENDING THE MEN AND WOMEN OF THE ARMY AS EXCEPTIONAL INDIVIDUALS WHO LIVE BY THE ARMY VALUES OF LOYALTY, DUTY, RESPECT, SELFLESS SERVICE, HONOR, INTEGRITY, AND PERSONAL COURAGE

Mr. INHOFE (for himself, Mr. AKAKA, Mrs. HUTCHISON, and Mr. HATCH) submitted the following resolution; which was considered and agreed to:

S. RES. 590

Whereas, from the first Continental Army under General Washington at Yorktown to the beaches of Normandy, the city streets of Iraq, and the mountains of Afghanistan, the Army has protected and kept the flame of democracy burning brightly;

Whereas the citizens of the United States continue to enjoy the benefits of freedom and democracy because the men and women of the Army have stood through adversity, remained steadfast in the most difficult of circumstances, and bravely fought against the enemies of peace throughout the world;

Whereas the sacrifices of the men and women of the Army inspire and instill great pride in all citizens of the United States;

Whereas the active duty, National Guard, and Reserve components of the Army protect the Nation from our enemies, defend our vital national interests, provide support to civil authorities in response to domestic emergencies, provide ready forces and land force capabilities to the Combatant Commanders in support of the National Security Strategy, and support operations around the world, ranging from peace-time military engagements to major combat operations;

Whereas the Army is successfully performing operations, other than combat operations, including—

(1) supporting the defense of South Korea, Japan, and many other friends, allies, and partners of the United States;

(2) conducting peacekeeping operations in the Sinai Peninsula and the Balkans;

(3) conducting multinational exercises that reflect our longstanding commitments to alliances;

(4) continuing engagements with foreign militaries to build partnerships and preserve coalitions by training and advising their military forces;

(5) participating, most notably by the Army National Guard, in securing the borders of the United States and conducting operations to counter the flow of illegal drugs;

(6) supporting civil authorities in responding to domestic emergencies, including natural disasters and threats at home and abroad;

(7) supporting interagency and multinational partnerships with technical expertise, providing critical support after natural disasters, and promoting regional stability; and

(8) supporting operations to protect against weapons of mass destruction and block their proliferation;

Whereas the accomplishments of the Army are attributable to the men and women of

the Army who have demonstrated courage, strength, and versatility and endured countless hardships and made great sacrifices in performing diverse missions worldwide;

Whereas the contributions of Army families should also be recognized, as Army families provide the cornerstone of strength and support for the Nation's Soldiers and display tremendous commitment and sacrifice to the Nation by providing critical support to their loved ones during prolonged absences;

Whereas the Army has been continuously engaged in persistent combat operations for more than 6 years, has constantly and successfully adapted to ever-changing security environments, has displayed courage, resourcefulness, and resilience in the most grueling conditions, and, while focused on preparing forces and building readiness for counterinsurgency operations and providing stability, security, and hope to the peoples of Iraq and Afghanistan, has taken significant steps toward restoring balance to the all-volunteer, battle-hardened force; and

Whereas those and countless other great accomplishments add to the longstanding tradition of the Army and attest to the extraordinary capability of the men and women who serve the United States in the Army: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 233rd birthday of the Army;

(2) salutes the men and women of the Army and their families;

(3) commends the men and women of the Army as exceptional individuals who live by the Army values of loyalty, duty, respect, selfless service, honor, integrity, and personal courage; and

(4) recognizes that the great men and women of the Army are the reason it continues to stand as the best army in the world and continues to perform extraordinary tasks while upholding its hallowed traditions.

SENATE CONCURRENT RESOLUTION 88—EXPRESSING THE SENSE OF CONGRESS THAT THE FOOD AND DRUG ADMINISTRATION'S (FDA) NEW POLICY RESTRICTING WOMEN'S ACCESS TO MEDICATIONS CONTAINING ESTRIOL DOES NOT SERVE THE PUBLIC INTEREST

Mr. CORNYN (for himself and Mr. BUNNING) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 88

Whereas menopause is often a challenging transition for millions of women that requires specialized medications and medical treatments;

Whereas physicians prescribe a variety of pharmaceutical treatment options to treat women experiencing the symptoms of menopause;

Whereas individual women respond differently to different treatment options;

Whereas women's physicians determine on a case-by-case basis which treatment option is optimal for each woman;

Whereas many physicians prescribe compounded estrogen and other bioidentical hormone treatments for patients for a variety of reasons;

Whereas many physicians prescribe compounded estrogen treatments that contain estriol to treat menopausal and perimenopausal women;

Whereas estriol is one of three estrogens produced by the human body;

Whereas estriol has been prescribed and used for decades in the United States;

Whereas Congress has long recognized active pharmaceutical ingredients meeting standards set by the United States Pharmacopeia as permissible options for physician prescribing and pharmacy compounding;

Whereas the Food and Drug Administration (FDA) has announced that it will no longer permit compounding pharmacists to prepare medications containing estriol pursuant to a doctor's prescription;

Whereas insurers are now denying women reimbursement for compounded medications containing estriol as a result of the FDA's announcement; and

Whereas the FDA has acknowledged that it is unaware of any adverse events associated with use of compounded medications containing estriol: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) physicians are in the best position to determine which medications are most appropriate for their patients;

(2) the Food and Drug Administration (FDA) should respect the physician-patient relationship; and

(3) the FDA should reverse its policy that aims to eliminate patients' access to compounded medications containing estriol that their physicians prescribe for them, unless the FDA holds a public comment period on the issue and can document evidence of adverse events and other safety issues to justify such policy.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, June 17, 2008, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to examine the challenges and regional solutions to developing transmission for renewable electricity resources.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Gina_weinstock@energy.senate.gov.

For further information, please contact Leon Lowery at (202) 224-2209 or Gina Weinstock at (202) 224-5684.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate, on Tuesday, June 10, 2008, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, June 10, 2008, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, June 10, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BROWN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 10, 2008, at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Joshua Mayer, an intern in Senator BINGAMAN's office, be granted privileges of the floor for the remainder of today, June 10, 2008.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, I ask unanimous consent that Sara McElroy from my staff be allowed floor privileges for the rest of the afternoon.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN VETERANS DISABLED FOR LIFE COMMEMORATIVE COIN ACT

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 757, H.R. 634.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 634) to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking, Housing, and Urban Affairs, with an amendment, as follows:

(Omit the part in boldface brackets and insert the part printed in italic.)

H.R. 634

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Veterans Disabled for Life Commemorative Coin Act".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) The Armed Forces of the United States have answered the call and served with distinction around the world—from hitting the beaches in World War II in the Pacific and Europe, to the cold and difficult terrain in Korea, the steamy jungles of Vietnam, and the desert sands of the Middle East.

(2) All Americans should commemorate those who come home having survived the ordeal of war, and solemnly honor those who made the ultimate sacrifice in giving their lives for their country.

(3) All Americans should honor the millions of living disabled veterans who carry the scars of war every day, and who have made enormous personal sacrifices defending the principles of our democracy.

(4) In 2000, Congress authorized the construction of the American Veterans Disabled for Life Memorial.

(5) The United States should pay tribute to the Nation's living disabled veterans by minting and issuing a commemorative silver dollar coin.

(6) The surcharge proceeds from the sale of a commemorative coin would raise valuable funding for the construction of the American Veterans Disabled for Life Memorial.

SEC. 3. COIN SPECIFICATIONS.

(a) **\$1 SILVER COINS.**—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue not more than 350,000 \$1 coins in commemoration of disabled American veterans, each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) **LEGAL TENDER.**—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) **NUMISMATIC ITEMS.**—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) **DESIGN REQUIREMENTS.**—

[(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the design selected by the Disabled Veterans' LIFE Memorial Foundation for the American Veterans Disabled for Life Memorial.]

(1) DESIGN.—The design of the coins minted under this Act shall be emblematic of the service of our disabled veterans who, having survived the ordeal of war, made enormous personal sacrifices defending the principles of our democracy.

(2) **DESIGNATION AND INSCRIPTIONS.**—On each coin minted under this Act, there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year "2010"; and

(C) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(b) **SELECTION.**—The design for the coins minted under this Act shall be—

(1) selected by the Secretary, after consultation with the Disabled Veterans' LIFE Memorial Foundation and the Commission of Fine Arts; and

(2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) **QUALITY OF COINS.**—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) **MINT FACILITY.**—

(1) **IN GENERAL.**—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(2) USE OF THE UNITED STATES MINT AT WEST POINT, NEW YORK.—It is the sense of the Congress that the coins minted under this Act should be struck at the United States Mint at West Point, New York, to the greatest extent possible.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins under this Act only during the calendar year beginning on January 1, 2010.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

- (1) the face value of the coins;
- (2) the surcharge provided in section 7 with respect to such coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins issued under this Act shall include a surcharge of \$10 per coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be paid to the Disabled Veterans' LIFE Memorial Foundation for the purpose of establishing an endowment to support the construction of American Veterans' Disabled for Life Memorial in Washington, DC.

(c) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the Disabled Veterans' LIFE Memorial Foundation as may be related to the expenditures of amounts paid under subsection (b).

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

Mr. BROWN. Mr. President, I ask unanimous consent that the committee amendment be agreed to, the bill, as amended, be read the third time and passed, the motions to reconsider be laid on the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to.

The bill (H.R. 634), as amended, was ordered to be read a third time, was read the third time, and passed.

LOCAL PREPAREDNESS ACQUISITION ACT

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 768, H.R. 3179.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3179) to amend title 40, United States Code, to authorize the use of Federal supply schedules for the acquisition of law enforcement, security, and certain other related items by State and local governments.

There being no objection, the Senate proceeded to consider the bill.

Mr. BROWN. Mr. President, I ask unanimous consent that the bill be read the third time, and passed, the motion to reconsider laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3179) was ordered to be read a third time, was read the third time, and passed.

NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 589, which was submitted earlier today by Senator STABENOW of Michigan.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 589) designating the week beginning June 9, 2008, as "National Health Information Technology Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 589) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 589

Whereas the Healthcare Information and Management Systems Society has worked collaboratively with more than 60 stakeholder organizations for more than 47 years to transform healthcare with improved uses of information technology and management systems;

Whereas the Center for Information Technology Leadership estimates that the implementation of national standards for interoperability and the exchange of health information would save the United States resources relating to healthcare each year;

Whereas healthcare information technology has been shown to improve the quality and safety of the delivery of healthcare in the United States;

Whereas healthcare information technology and management systems have been recognized as essential tools for improving the quality and cost efficiency of the healthcare system;

Whereas the President and the Secretary of Health and Human Services have made a commitment to leverage the benefits of the healthcare information technology and management systems by establishing the Office of the National Coordinator for Health Information Technology and the American Health Information Community;

Whereas Congress has placed an emphasis on improving the quality and safety of the delivery of healthcare in the United States; and

Whereas, since 2006, organizations across the United States have come together to support National Health Information Technology Week to improve public awareness relating to the potential benefits of the improved quality and cost efficiency that the healthcare system could achieve by implementing healthcare information technology:

Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning June 9, 2008, as "National Health Information Technology Week";

(2) recognizes the value of healthcare information technology and management systems in transforming healthcare for the people of the United States; and

(3) calls upon all stakeholders to promote the use of healthcare information technology and management systems to transform the United States healthcare system.

CELEBRATING THE 233RD BIRTHDAY OF THE ARMY

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 590, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 590) celebrating the 233rd birthday of the Army and commending the men and women of the Army as exceptional individuals who live by the Army values of loyalty, duty, respect, selfless service, honor, integrity, and personal courage.

There being no objection, the Senate proceeded to consider the resolution.

Mr. AKAKA. Mr. President, today Senator INHOFE and I celebrate the Army's 233rd birthday. For over two centuries, the Army has fought to preserve the principles of democracy not only here in the United States but around the world.

Our Nation's Army soldiers have served this Nation with honesty, courage, and dignity, and it is my privilege to take this opportunity to commemorate its birth. Both in times of peace, and in times of war, the U.S. Army has answered the call of duty and responded to the challenge of defending our Nation. All of our Army units, Active, Guard and Reserve, share the heritage of the first Continental Army which fought so valiantly to ensure the birth of a nation founded on the ideals of justice and freedom.

Mr. INHOFE. Mr. President, the commitment and duty of the Army soldiers who have risked their lives to preserve

our freedom have left an indelible mark on this Nation. During the Army's 233-year history, tens of thousands of these brave men and women have sacrificed their lives on distant battlefields to keep our Nation safe. I salute them for their service to this country.

Mr. AKAKA. My colleague Senator INHOFE and I also want to pay tribute to the families of those soldiers who risk their lives for our Nation. Too often the important role that families play goes unacknowledged but their faith and devotion are vital to the Army's success. The families of our soldiers have my deepest appreciation for the sacrifices they make and for the support they give our troops.

Mr. INHOFE. As this Nation continues to fight in the global war on terror, the Army has been key to providing the capabilities it needs to persist in its struggle for liberty and democracy. Through the efforts of the U.S. Armys the world has been made a more secure, prosperous, and better place for all of mankind. The courage and dedication of these soldiers are an inspiration to us all, and may the rest of us endeavor to be "Army strong" in our own lives.

Mr. BROWN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 590) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 590

Whereas, from the first Continental Army under General Washington at Yorktown to the beaches of Normandy, the city streets of Iraq, and the mountains of Afghanistan, the Army has protected and kept the flame of democracy burning brightly;

Whereas the citizens of the United States continue to enjoy the benefits of freedom and democracy because the men and women of the Army have stood through adversity, remained steadfast in the most difficult of circumstances, and bravely fought against the enemies of peace throughout the world;

Whereas the sacrifices of the men and women of the Army inspire and instill great pride in all citizens of the United States;

Whereas the active duty, National Guard, and Reserve components of the Army protect the Nation from our enemies, defend our vital national interests, provide support to civil authorities in response to domestic emergencies, provide ready forces and land force capabilities to the Combatant Commanders in support of the National Security Strategy, and support operations around the world, ranging from peace-time military engagements to major combat operations;

Whereas the Army is successfully performing operations, other than combat operations, including—

(1) supporting the defense of South Korea, Japan, and many other friends, allies, and partners of the United States;

(2) conducting peacekeeping operations in the Sinai Peninsula and the Balkans;

(3) conducting multinational exercises that reflect our longstanding commitments to alliances;

(4) continuing engagements with foreign militaries to build partnerships and preserve coalitions by training and advising their military forces;

(5) participating, most notably by the Army National Guard, in securing the borders of the United States and conducting operations to counter the flow of illegal drugs;

(6) supporting civil authorities in responding to domestic emergencies, including natural disasters and threats at home and abroad;

(7) supporting interagency and multinational partnerships with technical expertise, providing critical support after natural disasters, and promoting regional stability; and

(8) supporting operations to protect against weapons of mass destruction and block their proliferation;

Whereas the accomplishments of the Army are attributable to the men and women of the Army who have demonstrated courage, strength, and versatility and endured countless hardships and made great sacrifices in performing diverse missions worldwide;

Whereas the contributions of Army families should also be recognized, as Army families provide the cornerstone of strength and support for the Nation's Soldiers and display tremendous commitment and sacrifice to the Nation by providing critical support to their loved ones during prolonged absences;

Whereas the Army has been continuously engaged in persistent combat operations for more than 6 years, has constantly and successfully adapted to ever-changing security environments, has displayed courage, resourcefulness, and resilience in the most grueling conditions, and, while focused on preparing forces and building readiness for counterinsurgency operations and providing stability, security, and hope to the peoples of Iraq and Afghanistan, has taken significant steps toward restoring balance to the all-volunteer, battle-hardened force; and

Whereas those and countless other great accomplishments add to the longstanding tradition of the Army and attest to the extraordinary capability of the men and women who serve the United States in the Army: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 233rd birthday of the Army;

(2) salutes the men and women of the Army and their families;

(3) commends the men and women of the Army as exceptional individuals who live by the Army values of loyalty, duty, respect, selfless service, honor, integrity, and personal courage; and

(4) recognizes that the great men and women of the Army are the reason it continues to stand as the best army in the world and continues to perform extraordinary tasks while upholding its hallowed traditions.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 629, the nomination of Michael E. Leiter to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence; that the nomination be confirmed, the motion to reconsider be laid upon the table, with no other motions in order; that the President be

immediately notified of the Senate's action; that any statements relating to the nomination be printed in the RECORD, and that the Senate then return to legislative session, without further intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

EXECUTIVE OFFICE OF THE PRESIDENT

Michael E. Leiter, of the District of Columbia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR WEDNESDAY, JUNE 11, 2008

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m. tomorrow, Wednesday, June 11; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period for the transaction of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half. I further ask unanimous consent that following morning business, the Senate resume consideration of the motion to proceed to S. 3044, the Consumer-First Energy Act, and that the first 4 hours be equally divided between the two leaders or their designees and controlled in 30-minute blocks in an alternating fashion, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes; and that following the controlled block of time, Senators be permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:33 p.m., adjourned until Wednesday, June 11, 2008, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

FREDERICK S. CELEC, OF VIRGINIA, TO BE ASSISTANT TO THE SECRETARY OF DEFENSE FOR NUCLEAR AND CHEMICAL AND BIOLOGICAL DEFENSE PROGRAMS, VICE DALE KLEIN, RESIGNED.

DEPARTMENT OF STATE

JOHN MELVIN JONES, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE CO-OPERATIVE REPUBLIC OF GUYANA.

AFRICAN DEVELOPMENT FOUNDATION

JOHN W. LESLIE, JR., OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2013. (REAPPOINTMENT)

JOHN O. AGWUNOBI, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING FEBRUARY 9, 2014, VICE EPHRAIM BATAMBUZE, TERM EXPIRED.

JULIUS E. COLES, OF GEORGIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOP-

MENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 22, 2011, VICE WILLIE GRACE CAMPBELL, TERM EXPIRED.

MORGAN W. DAVIS, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING NOVEMBER 13, 2013, VICE EDWARD BREHM, TERM EXPIRED.

NATIONAL COUNCIL ON DISABILITY

MARYLYN ANDREA HOWE, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2011. (REAPPOINTMENT)

LONNIE C. MOORE, OF KANSAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2011. (REAPPOINTMENT)

HEATHER MCCALLUM, OF GEORGIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2011, VICE CYNTHIA ALLEN WAINSCOTT, TERM EXPIRING.

CHRISTINA ALVARADO SHANAHAN, OF NORTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2011, VICE PATRICIA POUND, TERM EXPIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 10, 2008:

EXECUTIVE OFFICE OF THE PRESIDENT

MICHAEL E. LEITER, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

MARK S. DAVIS, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA.

DAVID GREGORY KAYS, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF MISSOURI.

STEPHEN N. LIMBAUGH, JR., OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI.

EXTENSIONS OF REMARKS

HONORING WILLIAM LOBBINS III

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize William Lobbins III of Parkville, Missouri. Brett is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1395, and earning the most prestigious award of Eagle Scout.

William has been very active with his troop, participating in many scout activities. Over the many years William has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending William Lobbins III for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CLEARWATER FIREFIGHTER PAT CONREY HONORS FALLEN COMRADES

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. YOUNG of Florida. Madam Speaker, I rise today to honor Clearwater firefighter Pat Conrey, who I am proud to represent, for the remarkable tribute he has paid to a fellow firefighter who fell in the line of duty.

In his effort to raise money for the family of Oscar Armstrong III, a Cincinnati firefighter who died fighting a fire in March 2003, leaving behind a pregnant fiancée and two young children, Mr. Conrey did an extraordinary thing. He donned 45 pounds of firefighting gear and ran the entire 26.2 miles of the Flying Pig Marathon held in Cincinnati last May 4th.

Pat's caring and compassion for others were on full display that day. After stopping along the route to pay respect to the Armstrong family, Pat and a fellow firefighter resumed running and soon came upon another runner who collapsed on the pavement from an apparent heart attack. Pat and his partner in the race, Joe Arnold, performed emergency CPR on the fallen runner until an ambulance could arrive.

Madam Speaker, I am proud to say that Pat once again resumed running and completed the marathon in 5 hours and 26 minutes. During that time, he demonstrated to the people of Cincinnati the compassion, courage and heroism that our Nation's firefighters exhibit every day in our communities. Following my remarks, I will include for my colleagues the full story of Pat Conrey's run as reported by Terry Tomalin in The St. Petersburg Times.

In closing, please join me in saying thank you to Pat for his moving tribute to a fallen firefighter and for his inspiring story of selfless service to the people of Clearwater, Florida.

[From the St. Petersburg Times, May 29, 2008]

FIREFIGHTER GEARS UP TO HONOR THE FALLEN

(By Terry Tomalin)

Clearwater firefighter Pat Conrey started out wanting to honor a fallen comrade. By the time it was over, his quest encompassed 26.2 miles, flying pigs, and ultimately, life and death.

Conrey had heard the story of Cincinnati firefighter Oscar Armstrong III, who died battling a blaze in March 2003, leaving behind a pregnant fiancée and two children.

He decided to run Cincinnati's Flying Pig Marathon on May 4 in full firefighting gear to raise money for Armstrong's family.

"Firefighters have this special bond," Conrey said. "When one of us dies, we all feel it."

Conrey, who has completed 10 marathons, ran the Times Turkey Trot in Clearwater in 45 pounds of gear last year to raise money for families of fallen firefighters.

"When you run in firefighter equipment, you get people's attention," he said.

But running in full gear isn't that glamorous.

"It was hot—real hot," Conrey said. "You have to drink a lot of water."

The 40-year-old Conrey, Clearwater's firefighter of the year in 2007, trained for months, logging several 13-mile runs in his bunker coat, bunker pants, air pack and helmet.

"That is pretty out there," said local running coach Joe Burgasser. "You don't want to carry any extra weight. I would not recommend that for any sane person."

Conrey, who earlier this year finished a 50-mile run through Withlacoochee State Forest in 10 hours and 23 minutes, is used to people thinking he's crazy.

"I love it," he said.

A month before the marathon, Conrey learned two other Cincinnati-area firefighters also had died in the line of duty.

"That made me want to make sure that I finished even more," Conrey said. "I would run for all of them."

Word spread through the Cincinnati firefighting community that a crazy man from Clearwater was running for the families of the fallen.

"It really touched everyone," said Joe Arnold, a Cincinnati firefighter who ran part of the race, minus the gear, with Conrey. "To think this guy would come all this way and run a marathon in his turnout gear for people he had never met . . . that is what it is all about."

About eight miles into the marathon, Conrey and a dozen other firefighters stopped at a fire station to pay their respects to Armstrong's family.

"We didn't know they would be there," Conrey said. "There were lots of hugs, some tears. It was very emotional."

The unexpected stop put the firefighters behind schedule. While they were talking, a man named Bobby Edwards, a 10-year Flying Pig veteran, ran by.

Once they resumed running, the firefighters hadn't gotten a mile down the road

when they came across Edwards collapsed on the pavement, a victim of an apparent heart attack.

"When I got there I said, 'It is time to go to work boys,'" Conrey said.

Arnold performed chest compressions on the 55-year-old runner as the rest of the group assisted.

"If we hadn't stopped to talk, we would have been in front of him," Arnold said. "It is little things like that make being a firefighter so special."

Conrey, who despite the gear and stops covered the course in 5 hours, 26 minutes, said he is still amazed at the difference a few minutes can make.

"When you do what we do for a living, you realize how precious time really is," he said.

"I am glad I was there to help make a difference."

TRIBUTE TO COLONEL LEAH WALLER

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Leah Waller, recently awarded the title of 2007–2008 Baltimore City Teacher of the Year. Mrs. Waller has been a teacher with the Baltimore City Public School System for eight years, teaching Kindergarten and first grade at Maree G. Farring Elementary School.

When she's not teaching at Farring Elementary, Mrs. Waller has taught Summer School and tutored at the Jemicy School for Dyslexic Children. She has served as a mentor teacher for student teachers and new teachers. In addition, she has worked closely with the Children's Literacy Initiative and was selected to be a Model Classroom for Baltimore City.

Always well prepared for daily instruction, Mrs. Waller utilizes the curriculum and Baltimore City Public School System mandated programs in an effective and engaging way. In Mrs. Waller's classroom, lessons are thoroughly developed with the visual, auditory, and kinesthetic learner in mind. Skills and concepts are successfully mastered through a variety of strategies and techniques to ensure full comprehension from the students.

The individual needs of all students are met in Mrs. Waller's classroom. Assessment data is consistently analyzed to diagnose student strengths and areas for concern. This data is analyzed to help drive instruction in the most beneficial way. Because of the active participation in the learning process, the environment in Mrs. Waller's classroom is very conducive to learning. She holds her students to the highest expectations and creates an atmosphere of mutual respect between the teacher and students.

Mrs. Waller's professional responsibilities are fulfilled with great care. She maintains an organized recordkeeping system that monitors

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

individual student achievement and progress. Constantly interacting with students, parents, colleagues, and administrators, Mrs. Waller works collaboratively to ensure the academic success and social development of her students.

Madam Speaker, I ask that you join with me today to honor Leah Waller in her acceptance of the 2007–2008 Baltimore City Teacher of the Year Award. Her legacy as a dedicated, enthusiastic educator will be forever remembered by the grateful students who walk through her classroom doors. It is with great pride that I congratulate Leah Waller on her exemplary career in education and her outstanding performance at Maree G. Farring Elementary School in Baltimore City.

PERSONAL EXPLANATION

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. WELLER of Illinois. Madam Speaker, I rise today to enter into the RECORD votes I would have cast had I been present for rollcall votes 361 through 369. I was absent on part of the day Thursday, May 22, and Tuesday, June 3, due to personal reasons.

If I were present I would have voted “nay” on rollcall vote 361, “nay” on rollcall vote 362, “nay” on rollcall vote 363, “yea” on rollcall vote 364, “yea” on rollcall vote 365, “yea” on rollcall vote 366, “yea” on rollcall vote 367, “yea” on rollcall vote 368, and “yea” on rollcall vote 369.

GUYANA’S 42ND BIRTHDAY: MUCH TO CELEBRATE, QUITE A LOT TO HOPE FOR

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. RANGEL. Madam Speaker, I rise today in recognition of Guyana’s 42nd anniversary of independence.

Guyana achieved independence on May 26, 1966, and became the Co-operative Republic of Guyana on February 23, 1970, with a new constitution. Guyana is a located on the northern coast of South America between Venezuela, Brazil, and Suriname. It is the lone English-speaking nation on the South American mainland, a country of 83,000 square miles, dense tropical forests, and 800,000 people.

This former British colony is rich in human resources, bauxite, gold and arable land. The young country had promising expectations but success was not immediately attained. In fact, Guyana, at times, is described as one of the poorest countries in the Western Hemisphere and qualifies for debt concessions through the global initiative to reduce burden on the world’s highly indebted poor countries.

After years of economic decline, failure to maintain its infrastructure, political conflict between Afro and Indo Guyanese, Guyana’s largest ethnic groups, and factors that fueled an exodus of its brightest, the country needed reform. Today, it is rebuilding both its econ-

omy and infrastructure and with prospects of finding large deposits of oil, Guyana now has the potential for growth and prosperity expected of it since the 1960s.

Guyana still faces many obstacles today. Earlier this year, two massacres took the lives of more than 20 men, women and children but a period of relative calm has followed. Yes, crime and violence remain a serious problem as they do elsewhere in the Caribbean.

The latter is the dichotomous image that Guyana presents to the world as it celebrates its 42nd anniversary of independence.

As a member of the international community, Guyana has made important contributions to the resolutions of major conflicts around the world through its participation in the United Nations Security Council, in the Organization of American States, on the World Court and in other global bodies.

This anniversary offers us an occasion to thank the people of Guyana for their strength, their courage, and their contributions to our global community. So, on this anniversary of independence, I stand in camaraderie with the Guyanese people to celebrate and appreciate the growth and change of Guyana.

CONGRATULATING TEXAS’ EXEMPLARY CHILDREN’S HOSPITALS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. BURGESS. Madam Speaker, I rise today to congratulate the outstanding accomplishments of our leading Texas hospitals. Texas Children’s Hospital in Houston, Children’s Medical Center in Dallas, Children’s Cancer Hospital at M.D. Anderson in Houston, and Cook Children’s Medical Center in Fort Worth were recently recognized as among our nation’s top hospitals by U.S. News and World Report.

Texas Children’s Hospital in Houston was ranked sixth in the country in general pediatrics, third in heart surgery, and in the top five of several other specialties. Cook Children’s Medical Center in Fort Worth was ranked 29th nationwide for its respiratory disorders specialty. Children’s Medical Center in Dallas was ranked 15th among cancer specialties, and ranked in the Top 30 on four other categories as well, including General Pediatrics and Digestive Disorders. Children’s Cancer Hospital at M.D. Anderson in Houston was ranked 21st among cancer specialties.

The U.S. News rankings were based on surveys of pediatricians, outcome of patient care including surgeries, and care-related measures including nurse staffing, availability of important technologies, and patient volume.

As a physician, it is inspiring to see that the medical profession, and specifically the hospitals and doctors serving Texas, are so adamantly dedicated to their service and are able to provide such exceptional care to our nation’s children. Health care affects every facet of our lives, and America’s devotion to innovation and advancements in medicine is vital in maintaining our position as having the best health care system in the world.

Madam Speaker, it is with honor today that I rise and extend my sincerest congratulations to these outstanding children’s hospitals in

Texas. It is my hope that they will continue to lead the way in pediatric care, maintaining the discipline, focus, and compassion that has earned them their reputations for excellence.

TRIBUTE TO MR. CORNELIUS ALLEN

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. DAVIS of Illinois. Madam Speaker, I rise to pay tribute Mr. Cornelius Allen who passed away on May 28, 2008; and an individual whom I learned was my cousin a few years ago.

Madam Speaker, Cornelius Allen was one of the friendliest and most delightful persons I have known. Cornelius was born on October 13, 1928, in Gary, Indiana to the parentage of Mr. Diston and Mrs. Addie P. Allen. Mr. Allen attended high school at Oakwood Academy in Huntsville, Alabama; graduating with the class of 1947. He was then drafted into the United States Army and served as a private first class until honorable discharged in 1952, and remained in the reserve until 1957.

In 1955, Cornelius joined the Chicago Transit Authority and quickly became an Ambassador of Goodwill as he often spoke with passengers and exhibited friendship to school children. After thirty years of loyal service to the Chicago Transit Authority, Mr. Allen retired and spent the rest of his life doing good deeds.

Cornelius Allen was a real proponent of education and encouraged young people to take advantage of every educational opportunity available to them. He was family centered and exhibited great pride in family history, tradition and unity.

To Cornelius’s closest relatives, Dell Allen and wife Debbie, his daughters Addie Allen, grandchildren, Marcus Allen, Dell ‘Rome’ Allen, Justus Cornelius Allen Pugh, great grandchildren Cameron Allen, Lyndon Allen and Lucas Allen; his brother Ray Shepherd and Rosenwald (Eunice) Allen Sr. and his sister, Mary Ann Guyton, I say you have been blessed to have such a great soul to be an intimate part of your life.

Cornelius was a good man whose footsteps were ordered by the Lord and just as he brought joy to your lives, he brought joy to countless others.

May he rest in peace.

IN HONOR OF DR. DAVID HALE, A 2008 HEALTH CARE HERO OF MINNESOTA

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mrs. BACHMANN. Madam Speaker, I rise today to recognize Dr. David Hale, Chief of Staff and ER Medical Director at Woodwinds Health Campus, for being named a 2008 Health Care Hero by the Twin Cities Business Magazine. A modern day hero not only in his community, but as far away as Iraq, Dr. Hale’s selfless service and dedication to his work

have earned him the respect and admiration of his patients and colleagues spread throughout the world.

Dr. David Hale has earned the reputation as a giant in his field. In fact, one distinguished colleague has even said, "The world is a better place because of Dr. Hale." After hearing his long record of accomplishment, you will surely agree.

As an emergency medicine physician, Dr. Hale is known for his caring and compassionate demeanor towards patients and for his leadership in hospital patient services. Some suggest he is the reason Woodwinds receives some of the highest patient satisfaction scores not only in Minnesota, but across the country.

If that was not enough, Dr. Hale is a Major in the Minnesota National Guard and has completed two tours of duty in Iraq. Among his military honors, Dr. Hale earned a Bronze Medal Star in March 2007, an Army Commendation Medal in March 2005, an Army Achievement Medal in August 2003, a National Defense Service Medal, a Global War on Terror Expeditionary Medal and many other awards for his outstanding military service.

Even more amazing are the contributions he has made on the humanitarian front during his time in Iraq. During his first tour of duty, Dr. Hale started an international humanitarian effort to teach basic medical care to Iraqis, a program that still exists today. During his second tour in Iraq, he expanded his efforts to provide 400 first aid kits and midwife kits to Iraqi women and children, a gesture well received by Iraqi villagers and soldiers alike.

Now back in Minnesota, Dr. Hale is focused on helping veterans returning home from war, many of whom suffered traumatic injuries on the battlefield.

Madam Speaker, it is my honor to rise today to celebrate Dr. David Hale's extraordinary and selfless career of service. His contributions to his community, the state of Minnesota, and the country of Iraq make him a distinguished patriot, and make us all proud to be Americans. I stand today and join his family, friends, and colleagues in wishing him a long and successful career.

IN RECOGNITION OF HIGHLAND
PARK TOWN ADMINISTRATOR
GEORGE PATTERSON

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. SESSIONS. Madam Speaker, I rise today to honor Highland Park Town Administrator George Patterson.

After graduating from Texas Tech University, he began his public service career as an Administrative Aide with the City of Lubbock. He then moved on to become the City Manager for Pecos City and Snyder before accepting the position of Town Administrator with Highland Park in 1979. George will be retiring on June 24, 2008 with twenty-nine years of dedicated service to Highland Park.

During his tenure, he has carefully managed and led his staff by example. With his vision and leadership skills, Highland Park is a better and safer community. His commitment to public service extended beyond the workplace. He is actively involved in numerous professional

and community organizations such as the Texas City Managers Association and the Rotary Club. George leaves a legacy of civic duty that will be greatly missed.

Madam Speaker, I ask my esteemed colleagues to join me in expressing our best wishes to him and his family on this special day.

IN RECOGNITION OF RYAN
STEWART

HON. BILL SALI

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. SALI. Madam Speaker, I rise today in recognition of Ryan Stewart of Boise, ID.

Ryan is representing Idaho as youth governor during the annual YMCA National Youth Governors' Conference here in Washington, DC.

I am proud of Ryan's commitment and involvement in this program. Ryan was elected youth governor after campaigning in Idaho's youth and government program. This is a hands-on program dedicated to educating high school students on how state government operates. Ryan participated in a Regional Convention giving speeches and ultimately being elected to his current position.

I am honored to take the opportunity to recognize Ryan. His involvement in the YMCA program is a great way for him to learn how our government functions. Ryan is an example to his peers and I wish him all the best for a successful year as youth governor in Idaho.

PLATTE COUNTY ECONOMIC
DEVELOPMENT COUNCIL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. GRAVES. Madam Speaker, I proudly pause to recognize the outstanding achievements of the Platte County Economic Development Council (PCEDC) of Platte County, Missouri. Burdette "Pete" Fullerton, Executive Director, has successfully guided the EDC, and I am honored to help celebrate their 20th Anniversary on June 20, 2008. This prestigious recognition is the culmination of twenty years of dedicated work to continuously improve and enhance our community.

The Platte County EDC serves as an authoritative voice in the community on economic development and related issues through an effective program of professional development, public policy, marketing, and communications. The EDC has assisted in several local projects over the past 20 years, including ADT Security Services, Citi Cards, Harley-Davidson Motor Company, KCI Expo Center, Lifetouch Publishing, Argosy Casino Hotel and Spa, Multivac, The National Golf Club, Tiffany Greens Golf Club, and Zona Rosa.

Pete Fullerton is responsible for the growth of this non-profit organization that promotes economic development in Platte County, Missouri. Pete has worked diligently on behalf of EDC to build a partnership between public and private sectors and has assisted in the suc-

cessful completion of 127 projects. The PCEDC has helped to create over 11,000 new jobs for Platte County.

Madam Speaker, I ask that you join me in applauding the Platte County Economic Development Council of Platte County, Missouri for its hard work and dedication. Since the EDC began, it has served as a resource to its investors and the community. I want to thank Pete Fullerton for all of his work and applaud him for his accomplishments with the Platte County EDC.

DUNEDIN HIGH SCHOOL BASEBALL
TEAM WINS THE FLORIDA STATE
CLASS 5A CHAMPIONSHIP

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. YOUNG of Florida. Madam Speaker, it is with much pride that I rise today to congratulate the Dunedin High School Baseball team for winning the Florida State Class 5A Championship. The Falcons of Dunedin, who I have the privilege to represent, won the championship in an extra innings showdown against the South Fork Bulldogs.

The Falcons won the championship in a ten inning marathon, the longest Florida State baseball championship game since 1997. The defense and pitching were excellent, keeping the score tied at two runs apiece until Max Priest scored the winning run for Dunedin on a Max Kreuter single.

It was only through a season of hard work—both on and off of the field—that the Falcons finished with a 26–6 record on their way to the school's first state baseball title in 44 years. It is a testament to the character of these young men, and they deserve to be congratulated. But let us not forget to send our congratulations to Coach Tom Hilbert who worked tirelessly as a coach and as a mentor to the team. I would also like to congratulate the parents of the players, as well as the teachers, administrators and the staff of Dunedin High School for doing a fantastic job of raising and encouraging these exceptional student-athletes. Following my remarks, I will include for my colleagues the full story of Dunedin's Baseball Championship as reported by The St. Petersburg Times.

Madam Speaker, in closing, please join me in congratulating the Dunedin High School Falcons for their outstanding achievement in winning the Florida State Baseball Championship.

[From the St. Petersburg Times, May 15, 2008]

LONG WAIT IS OVER: DUNEDIN WINS TITLE

SARASOTA—It began the moment the ball disappeared into Cammeron Fisher's glove. Seconds later, a swarm of triumphant Dunedin players rushed toward the mound to celebrate a 3–2 victory and the school's first state baseball title in 44 years.

"This is something you dream about," Fisher said. "To make the final out is unbelievable, especially going through so many ups and downs in a game like this."

There already were lingering memories—of the heart-wrenching moments in the seventh inning, of the nail-biting rally in extra innings, of a game snatched from defeat—that the players swore they never doubted.

The winning run scored in the top of the 10th inning when Max Kreuter singled in

Max Priest against Stuart South Fork. The two played the longest championship game since 1997.

"It was a little nerve-racking, but we have so many bats in this lineup that we knew we had a chance," Kreuter said.

But this game was won with defense and pitching.

The Falcons had a two-run lead then watched it disappear when the Bulldogs scored a run each in the third and fifth innings to tie it.

In the seventh, South Fork (27-6) had runners on first and third with no outs. The Falcons walked the next runner to load the bases.

At that point, Dunedin was desperate to win—and keep its state title hopes from vanishing.

"We were on the edge of our seats at that point," Dunedin coach Tom Hilbert said. "Our backs were against the wall. But we were able to maintain our composure."

Slowly, the Falcons (26-6) found a way to wiggle out of the jam.

Alex Norris, who came on in relief of Clay Kollenbaum, got the first and only batter he faced to ground out.

Jake Rogers came in next and got the next two batters to strike out and fly out.

"It was just incredible to come out of that the way we did," Rogers said. "I had so much adrenaline going."

Beneath the noise, tension and pressure, Rogers emerged more as a survivor than a closer.

With so much at stake, Rogers knew he couldn't afford to make mistakes. He escaped unharmed, throwing 3½ innings after pitching just three before Thursday's appearance.

"Jake was just phenomenal," Hilbert said. "It was a real gutsy performance."

It remained scoreless through the next three innings.

Then the Falcons, after squandering so many chances, made something happen in the 10th. Priest led off the inning by drawing a walk, then moved to second on a sacrifice bunt by Mike Kumbat and advanced to third on a wild pitch. Priest scored on Kreuter's single.

Rogers then finished things off. The moment Fisher caught the ball, Rogers sprung off the mound, shook his fist, twirled in a crazy leap and came down to earth knowing he would be able to sleep.

"I think all of us are going to pass out on the bus on the ride home," Rogers said. "It was such a draining game, so full of emotions."

"But it was so worth it to win like this."

TRIBUTE TO COLONEL CHRISTINE ROLAND

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Christine Roland, recently awarded the title of 2007–2008 Harford County Teacher of the Year. Mrs. Roland has been a teacher with Harford County Public Schools for five years, teaching Biology and Forensic Science at Edgewood High School.

Born and raised in Switzerland, Mrs. Roland earned a degree in advertising and public relations and became fluent in three languages before she moved to the United States. She has since earned a bachelor's degree in Biol-

ogy from Towson University, a Certification in Education, and is currently working on her master's degree in Biology.

Thanks to her unique background and teaching style, her bright, inviting classroom and original lessons keep her students active and engaged in the classroom. Using her background in advertising, Mrs. Roland packages her lessons and activities in an appealing and creative way. Her enthusiastic teachings inspire and motivate her students to put effort into their work and truly absorb the class material.

Mrs. Roland goes the extra mile when it comes to helping her students succeed. Appreciating that biology can be a difficult subject, Mrs. Roland acknowledges all student achievement. She evaluates student understanding and provides immediate feedback. Her students know that she will not move on until there is a basic understanding of every concept. The projects and activities she assigns are challenging and diverse so every student can feel a sense of accomplishment. Mrs. Roland makes herself available to students and parents before and after school, as well as through e-mail in the evenings should a student need assistance with an assignment.

Mrs. Roland is eager to attend relevant conferences and meetings to enhance her professional development. She plays a major role on the Technology Steering Committee and is actively involved in the curriculum writing for many subjects. She initiated a new course in forensic science for Harford County, received approval and wrote the entire curriculum. The course is now part of the county curriculum and she is working on staff development for the teachers.

Madam Speaker, I ask that you join with me today to honor Christine Roland in her acceptance of the 2007–2008 Harford County Teacher of the Year Award. Her legacy as a dedicated, enthusiastic teacher will be forever remembered by the appreciative students who walk through her classroom doors. It is with great pride that I congratulate Christine Roland on her exemplary career in education and her outstanding performance at Edgewood High School in Harford County.

PERSONAL EXPLANATION

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. WELLER of Illinois. Madam Speaker, I rise today to enter into the RECORD votes I would have cast had I been present for rollcall votes 388 through 390. I was absent on Monday, June 9th, due to flight delays caused by severe weather.

If I were present I would have voted, "yea" on rollcall vote 388, "yea" on rollcall vote 389, and "yea" on rollcall vote 390.

CELEBRATING HOW STANLEY MICHELS GAVE NORTHERN MANHATTAN A POWERFUL VOICE IN CITY POLITICS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. RANGEL. Madam Speaker, I rise today to celebrate a champion of environmental health and a stellar legislator, Stanley Michels, a 24-year New York City Council member whose birthday we honor today. Three decades ago, he set for himself an ambitious task: to render visible the invisible, to—as he put it—"convince City Hall that there is life in Manhattan above 96th Street." A lifelong resident of northern Manhattan, he felt it imperative that he and his neighbors in West Harlem, in Washington Heights, in Inwood, in Morningside Heights, in Central Harlem, be given a voice. After an illustrious career on the Council, it's safe to say he has succeeded, and then some. The litany of legislative achievement attached to his name speaks to his political and personal philosophies: Prioritize the quality of life of everyday people. Hold steadfast to the guiding principles of fairness and pragmatism. And always, always stand by those who need most defending.

An environmentalist at heart whose driving motivation was consistently the health and well-being of his constituency, Michels led the charge for cleaner air and the protection of the area's water supply. He advanced a precedent-setting law aiming to protect children from lead poisoning in apartments. He spearheaded an expansion of the city's recycling and waste-reduction programs, requiring the weekly collection of recyclables and granting the Council the power to approve the city's Solid Waste Management Plan. He railed against smoking and excessive noise in public places, limiting both in his time on the Council.

Two short months after the attacks of Sept. 11, he held the first public hearings on air quality and the environmental impact of the World Trade Center collapse. For nearly a decade, he chaired the Committee on Environmental Protection, early in his tenure bringing together at-odds parties in the battle over the city's watershed and succeeded in creating the dialogue that led to the Watershed Memorandum of Agreement, still effectively safeguarding the city's water-supply system today. A master of both policy and relationships, he is as good at legislating as he is at bringing people together.

He fought then—and continues to fight—for the little guy. He required that there be public hearings before annual increases to rent-stabilized apartments. He was the motivating force behind a provision that exempted seniors from certain rent increases. He closed loopholes in the deregulation of apartments, allowed the city to foreclose on individual properties in tax arrears, and eliminated the parking garage surtax for Manhattan residents.

For a quarter of a century, he served tirelessly for the public. His home—too often forgotten, overlooked, disregarded—had finally a voice in city government. And what a powerful and distinct voice he gave them. He optimistically noted that his tenure sent the city a clear message: that "no city agency can ignore us" ever again.

A TRIBUTE TO THE CHILDREN'S
HOSPITAL OF PHILADELPHIA

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. BRADY of Pennsylvania. Madam Speaker, I rise today to honor a great Philadelphia institution and a staple in our community, The Children's Hospital of Philadelphia. The Children's Hospital of Philadelphia has always held itself to the highest standard of care. This month, they have been recognized for their excellence as they were rated as the best over all children's hospital in America in a U.S. News & World Report exclusive annual ranking, receiving this honor for the sixth year in a row.

The Children's Hospital of Philadelphia was founded in 1855 and was the first hospital devoted solely to the care of children. Today it houses 430 beds and treats more than one million patients a year. Children's Hospital of Philadelphia specializes in cancer, digestive disorders, heart and heart surgery, neonatal care, neurology and neurosurgery and respiratory disorders. While coming in first for overall general practices, the hospital also ranked in the top three in the country in each of these individual categories.

Since it was established the Children's Hospital of Philadelphia has been concentrated on caring for the families of patients as well as the patients themselves. Now they have programs where parents teach the physicians what it is like to care for a child with a specific disease, because they have the best knowledge of this. The Children's Hospital also encourages families to stay with their children at all times, making the treatment more bearable for the children and their families.

Madam Speaker, The Children's Hospital of Philadelphia is a key institution in Philadelphia and I congratulate them on this honor and thank them for their dedication to excellence and their service to our community.

THE DAILY 45: MIGUEL CELIS

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. RUSH. Madam Speaker, every day, 45 people, on average, are fatally shot in the United States. Young lives are being cut short because of gun violence and families on both sides of the gun are dramatically affected.

Last week, authorities charged Edgar Ceasar Diaz, 15, of Waukegan, Illinois with six counts of first-degree murder that, if convicted, could land him in jail for the remainder of his life. His family is in pain over what their son is charged with.

Diaz is accused of the April 25 shooting death of 18-year-old Miguel Celis also of Waukegan. Celis died of a gunshot wound to the chest fired from a .38-caliber handgun that was recovered from Diaz, according to reports. His family is in mourning.

Americans of conscience must come together to stop the senseless death of "The Daily 45." When will Americans say "enough is enough, stop the killing!"

RECOGNITION OF RICHARD M.
KNAPP, PH.D.

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. WAXMAN. Madam Speaker, I rise to recognize the contributions of Richard M. Knapp, Ph.D., who is retiring as Executive Vice President of the Association of American Medical Colleges, AAMC, after 40 years of service to the Nation on behalf of medical schools and teaching hospitals.

As the senior policy advisor to the AAMC, Dr. Knapp has provided leadership on a wide range of health policy matters, particularly regarding the delivery of hospital and medical services where medical education simultaneously occurs and research brings advances.

Dr. Knapp joined the AAMC in 1968 after earning a bachelor of arts degree from Marietta College, in Marietta, Ohio, and a Ph.D. in hospital and health administration from the University of Iowa.

He has consistently been a fair and thoughtful advocate for the Nation's teaching hospitals and medical schools, and his knowledge and integrity are widely recognized and appreciated.

Dr. Knapp's service to the health community includes his tenure on the Board of Trustees of the Inova Health System in Fairfax County, Virginia, from 1983–2005, where he served as chair from 1999–2003. He is a past chairman of the National Association for Biomedical Research and has held the offices of secretary and treasurer in the Federation of Associations of Schools of the Health Professions. He also served on the Advisory Board for the Robert Wood Johnson Foundation Health Policy Fellowships.

Before becoming executive vice president of the AAMC, Dr. Knapp served the organization as senior vice president, director of the Department of Teaching Hospitals, director of the Division of Teaching Hospitals, and director of a teaching hospital project.

His contributions to health care policy have been recognized by his election to the Institute of Medicine.

I ask my colleagues to join me in wishing Dr. Knapp and his family every success and happiness in the next phase of his life.

THE PRIVATE PROPERTY RIGHTS
PROTECTION AND GOVERNMENT
ACCOUNTABILITY ACT

HON. JOHN SULLIVAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. SULLIVAN. Madam Speaker, I rise today to introduce H.R. 6219, the Private Property Rights Protection and Government Accountability Act of 2008.

Previously, the U.S. Constitution specifically limited government taking of private property through a relatively narrow exception for "public use." Public use has historically referred to roads, schools, firehouses, etc. You may remember the infamous 2005 Supreme Court decision, *Kelo v. City of New London*, where the court broadened the government's ability

to take your home, farm, business or place of worship. The negative affects of this far reaching Supreme Court decision places millions of private property owners nationwide at risk.

Some States are trying to correct this injustice and have enacted restrictions on the use of eminent domain (in this case, is when the government seizes private property), with varied effectiveness. However, Congress has not taken action to restore private property rights and the abusive use of eminent domain has continued.

That is why I am introducing the Private Property Rights Protection and Government Accountability Act of 2008, along with the House Energy and Commerce Committee Ranking Member JOE BARTON. This legislation will restrict certain federal economic development funds for 10 years to any state or locality in which eminent domain is used to take private property for a private purpose. It will also allow private property owners the legal recourse they deserve to fight baseless private property takings by State and local governments.

Examples of eminent domain abuse can be seen across Oklahoma, from Oklahoma City to Muskogee, and across this country.

No family, business operator or place of worship is safe if the government decides that their property does not measure up, and that "public purpose" would be better served if it were torn down and replaced by something bigger, glitzier and more taxable. I encourage all my colleagues to support this important legislation.

IN HONOR OF KATHERINE KELLY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. HASTINGS of Florida. Madam Speaker, I rise today to honor the life and work of Katherine Kelly. Ms. Kelly is a lifelong Democrat who has always fought for the values and ideals that our party and our country hold dear.

As a member of the Democratic Executive Committee (D.E.C.) of Palm Beach County for more than 30 years, Katherine and her late husband, Edward Kelly, helped to build the D.E.C. and bring it to the position of prominence it holds today. Recognizing her status as one of the most respected Democrats in Palm Beach County, her fellow Committee members elected her State Committeewoman, a title she still holds.

Katherine Kelly was a founding member of Palm Beach County's first chapter of the National Organization for Women and has spent her entire life fighting to advance the rights of women. She has also been a leader in countless endeavors to ensure the rights of minorities and underprivileged citizens. And she is an ardent supporter of organized labor and the rights of working men and women in South Florida and throughout our Nation.

Katherine Kelly's relentless efforts have resulted in the election of many Democratic officials at all levels of government. More importantly, however, they have resulted in better lives for the people for whom she has fought.

Katherine is loved and respected by all who have benefited from her compassion, concern,

and determination, and she has earned the gratitude of the countless individuals who have benefited from her work. I am extremely proud to call Katherine Kelly my friend and ally. She is truly an admirable individual and a great American.

TRIBUTE TO CONGRESSMAN RICHARD A. GEPHARDT OF MISSOURI

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. SKELTON. Madam Speaker, let me take this time to recognize my good friend and our former colleague, Congressman Richard A. Gephardt of Missouri, who recently received the Harry S. Truman Award for Public Service from the City of Independence, Missouri. This award is given annually to honor a distinguished public servant who best exemplifies the characteristics of President Harry S. Truman.

Congressman Richard Gephardt grew up in St. Louis, Missouri, and in 1958 graduated from Southwest High School. He is an Eagle Scout and is a recipient of the Distinguished Eagle Scout Award. In 1962, he earned a bachelor of science degree at Northwestern University in Evanston, Illinois, and earned a law degree from the University of Michigan in 1965. After law school, Congressman Gephardt practiced law and set forth on a distinguished public service career that included serving the American people in military uniform and in elected office. From 1965 to 1971, Congressman Gephardt served in the Missouri Air National Guard. From 1968 to 1971, he served as a Democratic committeeman in St. Louis, and from 1971 to 1976, he served as a St. Louis alderman.

In 1976, Gephardt ran for and was elected to the U.S. House of Representatives. From 1977 to 2005, Congressman Gephardt served the people of Missouri and our country with distinction and quickly became a leader within the Democratic Caucus. In 1984, he was elected chairman of the House Democratic Caucus and was elected House majority leader in 1989. He subsequently served as House minority leader from 1994 to 2005. Gephardt also twice ran for the Democratic Presidential nomination, in 1988 and in 2004. After retiring from Congress in 2005, Gephardt formed a consulting and public policy development firm.

Madam Speaker, Congressman Richard A. Gephardt exemplifies the best of American public service. He is so very deserving of the Harry S. Truman Award, and I know my colleagues in the House will join me in congratulating him, his wife, Jane, and their lovely family for their years of dedication to the American people.

TRIBUTE TO GENERAL WILLIAM E. ODOM

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. MORAN of Virginia. Madam Speaker, I rise today to pay tribute to General William E.

Odum, a man of unquestionable character and undeniable devotion to our Nation. He served with distinction, provided experienced insight about our Nation's foreign policy decisions, and expressed a rare candor that made him an invaluable resource to everyone that worked with him, including the United States Congress.

On Friday, May 30, 2008, General Odom passed away at the age of 75. The course of his career traces the evolution of our military and intelligence communities over the past 25 years. He served as a senior military intelligence official for President Jimmy Carter, and then joined President Ronald Reagan as the director of the National Security Agency during the administration's second term. Following his retirement from the Army in 1988, after 34 years of active duty, General Odom continued his service by teaching at Yale University, working for the Hudson Institute, and writing scholarly works.

Chief among his laudable qualities, it was General Odom's candor that proved most refreshing and invaluable. A self-described military hawk, he was among the first military persons to speak out against the invasion of Iraq and he openly advocated a withdrawal. General Odom warned that military action in Iraq would be foolhardy and futile well before the U.S.-led invasion in 2003. In hindsight, his concerns were well founded and have since been validated, but before the invasion he was among the few willing to speak out loudly in opposition to the drumbeat to war. His background and depth gave intellectual credence to the growing opposition to the war, and he demonstrated that there were differences of opinion within our military and intelligence communities on the merits of the invasion.

To me and other members of the Defense Appropriations Committee, General Odom was a great source of experience and a wealth of knowledge. I came to rely upon his judgment and took counsel with him privately on issues related to our national defense. He was a thoughtful, steady guide on the most complex matters that face us today, and we are at a loss without him. More importantly, the Nation has lost a true and valued patriot.

Madam Speaker, we are saddened by General Odom's passing, and we extend our heartfelt condolences to his family. May others learn from his example and may his memory stay with us forever.

TRIBUTE TO ROBIN AUGUST

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. RUPPERSBERGER. Madam Speaker, I rise before you today to honor Robin August, recently awarded the title of 2007–2008 Baltimore County Teacher of the Year. Ms. August has been a teacher with Baltimore County Public Schools for 8 years, teaching mathematics at Deep Creek Elementary School and now Deep Creek Magnet Middle School.

Ms. August began her career in education in 1990, working for the Baltimore City Public School System. In 2000, she accepted a position at Deep Creek Elementary School in Baltimore County and is currently a mathematics teacher and team leader at Deep Creek Magnet Middle School.

As the team leader for the 6th grade at Deep Creek, Ms. August has been instrumental in developing and maintaining parental involvement that is necessary for the school to be successful. She consistently monitors the academic performance of her students in all of their classes in order to provide mentorship to the students and provide strategies to help them succeed. Throughout the year, Ms. August opens her classroom doors to teachers who are in need of professional development, modeling lessons that demonstrate excellence in teaching.

She has dedicated her career to improving achievement for her students, serving on many school improvement teams and holding positions as diverse as Student Council Advisor, curriculum writer, and mentor. As a member of the leadership team at Deep Creek Middle, Ms. August continues to bring new ideas to the school plan, helping to design better and more efficient ways of meeting the various needs of the students. Through the Teaching American History in Maryland program, she has published work with the University of Maryland, Baltimore County Center for History Education and presented at the Maryland Conference for the Social Studies.

Madam Speaker, I ask that you join with me today to honor Robin August in her acceptance of the 2007–2008 Baltimore County Teacher of the Year Award. Her legacy as a dedicated, enthusiastic educator will be forever remembered by the grateful students who walk through her classroom doors. It is with great pride that I congratulate Robin August on her exemplary career in education and her outstanding performance at Deep Creek Magnet Middle School in Baltimore County.

CONGRATULATORY REMARKS FOR THE HIGH SCHOOL VALEDICTORIANS OF 2008

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. RANGEL. Madam Speaker, I rise today to commend tens of thousands of youngsters who, this year, earned their high school diplomas as first in their respective graduating classes. The diploma in itself has come to symbolize promise and opportunity, the first step in a series of steps towards achieving the American dream, and I am proud of each and every student who earned one this year. But that honor is ever the more remarkable when awarded with a valedictorian title, an acknowledgement that its receiver is academically top-notch in his or her class.

These bright, young minds—freshly out of school, having ostensibly left adolescence behind and come into their own as educated, young adults—will inherit this world, as much our successes as our failures. It will be up to them to improve upon our legacy, to wield their ingenuity and knowledge to the benefit of their country and their world. It pleases me to know that there are steady, capable young hands out there prepared to mold, shape, and supply form to a better future.

These men and women are an exemplary class, many of whom will go on to earn college degrees, serve America in some form of public service, travel abroad, raise families, or

join the workforce. Regardless of the path, their unique strengths and talents will sustain America and her standing on the global stage. Although the task may sound great and daunting, these achievers have shown both grit and giftedness over the past 4 years and will surely rise to the challenge with poise and a sense of purpose.

But for today, we celebrate and congratulate, keeping an eye on the greatness that lies in store for them and this Nation.

HONORING MR. JAMES ARNOLD

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. BLUMENAUER. Madam Speaker, I would like to offer my thanks and congratulations to Mr. James Arnold, environmental restoration manager for the Oregon National Guard. He was recently awarded the Secretary of the Army's FY07 Environmental Restoration Award for contributions made by an individual. This is the Army's highest honor in the field of environmental science, and Mr. Arnold is the year's only individual to be recognized.

As the Federal Government's largest property holder, the Department of Defense has a significant responsibility to ensure its lands are sustainably managed. Mr. Arnold's success proves that government can be a good partner to communities and the environment. His innovative approaches to resource management and remediation are a credit to Oregonian ingenuity and environmental stewardship.

I am particularly impressed by the large-scale range remediation at Camp Withycombe, located in my district. For years, I have advocated for increased awareness and funding for the cleanup of our ranges and legacy sites. This work in immensely challenging and I am impressed with Mr. Arnold's creative, cost-effective, and above all, successful approach to this problem.

I am proud that the Oregon Army National Guard is at the forefront of the Army's efforts to transform its environmental and business practices.

Mr. Arnold, thank you for your outstanding service to Oregon and our country. I wish you the best of luck in your future work.

PERSONAL EXPLANATION

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. UDALL of Colorado. Madam Speaker, I was unable to be present for votes during the late afternoon and evening of May 22, 2008. For the information of our colleagues and my constituents, I want the RECORD to reflect how I would have voted on the following votes I missed that day.

On rollcall 355, on the Akin amendment to H.R. 5658, I would have voted "no."

On rollcall 356, on the Franks amendment to H.R. 5658, I would have voted "no."

On rollcall 357, on the Tierney amendment to H.R. 5658, I would have voted "no."

On rollcall 358, on the Pearce amendment to H.R. 5658, I would have voted "no."

On rollcall 359, on the Lee amendment to H.R. 5658, I would have voted "yes."

On rollcall 360, on the Braley amendment to H.R. 5658, I would have voted "yes."

On rollcall 361, on the Price amendment to H.R. 5658, I would have voted "yes."

On rollcall 362, on the Holt amendment to H.R. 5658, I would have voted "yes."

On rollcall 363, on the McGovern amendment to H.R. 5658, I would have voted "yes."

On rollcall 364, on the Motion to Recommit with instructions the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (H.R. 5658), I would have voted "no."

I would have done so because the Motion to Recommit—as written—would have effectively killed the bill by sending it back to Committee. I also objected to what the Motion attempted to do. It would have repealed Section 526 of the Energy Independence and Security Act, which ensures that federal agencies do not procure or promote alternative fuels that emit, on a lifecycle basis, more greenhouse gas emissions than equivalent conventional fuels produced from conventional petroleum sources. This provision relates primarily to efforts of the Department of Defense to obtain half of its domestically used fuel from domestic synthetic sources by 2016. Specifically, the Air Force is pursuing "coal-to-liquid" fuel (CTL). According to both the EPA and DOE, liquid coal produces double the global warming emissions compared to conventional gasoline.

An amendment adopted on the floor clarified Section 526 to ensure that federal agencies could procure conventional fuels that contain incidental amounts of unconventional fuels. With the passage of this amendment, it is my belief that there is no reason to repeal Section 526, since the Department of Defense has said that it intends to pursue CTL with carbon capture and sequestration. In addition, the Defense Science Board Task Force on Energy recommended that if DOD decides to provide financial backing to synthetic fuel production plants, it should avoid investing in processes that exceed the carbon footprint of petroleum.

On rollcall 365, on Passage of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (H.R. 5658), I would have voted "yes."

On rollcall 366, on the Motion to Suspend the Rules and Agree, as Amended, to H. Res. 986, a resolution recognizing the courage and sacrifice of those members of the United States Armed Forces who were held as prisoners of war during the Vietnam conflict and calling for a full accounting of the 1,729 members of the Armed Forces who remain unaccounted for from the Vietnam conflict, I would have voted "yes."

The resolution recognizes the 35th anniversary of "Operation Homecoming," when the first wave of the longest-held POWs from Vietnam left that country to return to the United States. We honor those POWs, but we also honor those brave heroes who fought and died for our country but never returned home.

PERSONAL EXPLANATION

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mrs. MYRICK. Madam Speaker, due to a flight cancellation, I was unable to participate in the following votes. If I had been present, I would have voted as follows:

June 9, 2008:

Rollcall vote 388, on motion to suspend the rules and agree—H. Res. 1225, expressing support for designation of June 2008 as "National Safety Month"—I would have voted "aye."

Rollcall vote 389, on motion to suspend the rules and agree—H. Res. 1243, recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day—I would have voted "aye."

Rollcall vote 390, on motion to suspend the rules and agree—H. Res. 127, recognizing and celebrating the 50th anniversary of the entry of Alaska into the Union as the 49th State—I would have voted "aye."

BIPARTISAN CONGRESSIONAL DELEGATION TO NATO PARLIAMENTARY ASSEMBLY MEETINGS IN BERLIN, AND A SUBSEQUENT TRIP TO TURKEY AND AFGHANISTAN

HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. TANNER. Madam Speaker, during the recent district work period I led a bipartisan House delegation to NATO Parliamentary Assembly (NPA) meetings in Berlin, from May 23–27. The co-chair of my delegation was the Hon. JOHN SHIMKUS. Participating in the delegation were Representatives MARION BERRY, JOHN BOOZMAN, BEN CHANDLER, JO ANN EMERSON, CAROLYN MCCARTHY, RALPH REGULA, DENNIS MOORE, DAVID SCOTT, and MIKE ROSS, and staff worked to make this a successful trip in the examination of a number of key NATO issues.

The NATO Parliamentary Assembly brings together members of parliaments of the NATO allies, as well as observer participants from NATO partner states such as Russia and Ukraine, for discussions of current issues of interest to the alliance. Members attend committee meetings where reports are read and debated. The meetings afford an opportunity to sound parliamentarians from allied states on public opinion, defense and foreign policy, and trends in thinking on issues of mutual interest. The meetings also provide the opportunity to come to know members of parliaments on a long-term basis, an invaluable asset in developing insights into policy development in allied governments.

After the Assembly meetings in Berlin, the delegation traveled on to Turkey and Afghanistan, where we explored issues that I will address in a moment.

Recurrent themes on key NATO issues were evident in the Berlin committee meetings. Above all, NATO's International Security

Assistance Force (ISAF) in Afghanistan was a constant topic of discussion. It is clear that ISAF needs more combat personnel, and that caveats—restrictions that allies place on the use of their forces—are adversely affecting efforts to stabilize Afghanistan. Energy security, Russia's foreign policy objectives, defense capabilities, and Iran were also important areas of discussion.

I am chairman of the NPA's Committee on Economics and Security. I would like to take this opportunity to mention that our friend and colleague, RALPH REGULA, continued his long and distinguished service on that committee during the Berlin meetings. His contributions over many years have been invaluable.

Representative BOOZMAN and a Lithuanian colleague presented a well-received report in the Economics Committee on India's economy. India plays an important role in south Asia, and U.S.-Indian relations have strengthened over the past decade. India's proximity to Afghanistan and its often tense relations with Pakistan play a role in the stabilization of that volatile area. The Indian economy has opened up in recent years, and there is clear evidence of a growing middle class in the world's largest democracy. There was also a report on the Afghan economy, which must grow and diversify more rapidly if Afghanistan is to stabilize. The report emphasized the negative effects of Afghanistan's extensive poppy culture and poor governance on ISAF's stabilization efforts.

Our friend and former colleague, Doug Beuter, who was once president of the NATO Parliamentary Assembly, gave an interesting presentation on the efforts of the Asia Foundation, which he now heads, to assist schools and women in Afghanistan and other parts of Asia. His report, a version of which he also presented in the Political Committee, was enlightening and extremely well-received.

The Political Committee is normally the most contentious of the Assembly's committees, and that was once again true. As I mentioned, Russia sends observers to the Assembly who may participate in debates, but who may not vote. Vladimir Zhirinovskiy, a former Russian general and candidate for the Russian presidency, is now a member of parliament, and he made his presence frequently felt. He repeatedly denounced NATO and its efforts to stabilize the Balkans and Afghanistan as "terrorist" incursions in Russia's supposedly legitimate sphere of influence. The Russian delegates have chosen during the past several years to play a disruptive role in Assembly proceedings.

Representative ROSS delivered a well-received report in the Political Committee on "NATO and Iran," which looked forward prospectively to ways that the alliance might work with the EU and the U.N. to induce Tehran to terminate its nuclear enrichment program that is in violation of the Nuclear Nonproliferation Treaty. His ideas ranged from political pressure to greater economic sanctions to carrots in the form of limited military confidence-building measures in return for a cessation of Iran's illegitimate nuclear activities. I should mention that Representative CHANDLER is a vice-chairman of the Political Committee, and he played an active role in a number of sessions.

The Committee on Defense and Security also engaged in some interesting debates. ISAF's prospects in Afghanistan were sharply debated. The representatives of several allies, such as Britain, Canada, and the Netherlands that have combat forces in Afghanistan, urged

other allies to contribute more troops and to lift their caveats. The debate was sharp at times. ISAF now has 52,000 troops, of which approximately 22,000 are from the United States. The Russians continued their erratic behavior in the Defense Committee, denouncing the allies' stabilization efforts in Afghanistan. Rep. SHIMKUS is the vice-chair of the Subcommittee on Transatlantic Defense and Security Cooperation, and he made several valuable interventions on such issues as the need for allies to spend more on defense, and on NATO's efforts to stabilize the Caucasus.

Two of our colleagues play key roles in the Assembly's Committee on the Civil Dimension of Security. Representative MOORE is vice-chairperson of the Committee on Civil Dimension, and Representative EMERSON is vice-chairperson of the Subcommittee on Democratic Governance. Each made important contributions to the debates in the Civil Dimension Committee. An interesting discussion took place in response to a report on NATO and energy security. Representative SCOTT made a valuable contribution in detailing ways that NATO could play a constructive role in building energy security and thereby enhancing global security.

The Committee on Science and Technology also heard a report on energy security. The German rapporteur contended that Russia is a reliable supplier of oil and natural gas for Europe, a controversial point of view that some believe is contradicted by Moscow's occasional cut-offs of energy to Ukraine, Georgia, and Lithuania. Increasingly, our European allies are dependent on Russian energy resources, a development that could open the door to Russian pressure and influence in NATO in the event of a crisis. Representative SCOTT chided the Russians for not having ratified the Energy Charter Treaty, which obligates signatories to follow market practices and disavow the use of energy as a political tool. Representative SHIMKUS raised the point that diversification of supply and types of fuels is key to enhancing energy security. This was a forceful debate on an issue that is likely to engage NATO's interest in the decades to come.

The last day of the Assembly's meetings was spent in a plenary session. There were a number of interesting speakers, including the German foreign minister and the NATO Secretary General Jaap de Hoop Scheffer. De Hoop Scheffer urged the parliamentarians to go back to their publics and make the case for the importance of developing reliable, deployable combat forces, and for making a meaningful contribution to ISAF's efforts in Afghanistan. A German general also spoke. The Russian Zhirinovskiy again made his presence felt when he claimed, to the amazement and amusement of the delegates, that Russia had generously brought down the Berlin wall and made democracy possible in East Germany. He contended that NATO would fail in Afghanistan, just as Russia had. The German general—General Ramm—calmly replied that Russia failed in Afghanistan because it had sought a military solution, and that NATO would succeed because it is seeking a political solution.

Our delegation had an interesting private meeting with Secretary General de Hoop Scheffer, during which we had a highly informative discussion of such issues as Afghanistan, energy security, and Iran's relations with its neighbors. The delegation also met with the U.S. ambassador to NATO, Victoria Nuland,

who gave us her valuable perspective on the issues that she considers to be most important on the NATO agenda. We also visited the new U.S. embassy, near the line of the old Berlin wall, and met with our ambassador, William Timken. During a dinner the final night of our meetings, German Chancellor Angela Merkel sat at my table, and we had a lively discussion about a range of issues of mutual interest.

After the meetings in Berlin, we flew to Turkey for meetings with a range of senior Turkish officials. Turkey remains a key ally, perhaps even more important than it was during the Cold War. Turkey's strategic location—on the Bosphorus and the Black Sea, facing the Mediterranean, at the crossroads of Europe and Asia, and on the route of critical energy supplies—is vital to NATO security. In addition, Turkey is a Muslim country and a democracy. An important issue confronting Turkey is its application to join the European Union, a step that some EU governments strongly oppose. Today, there is a vigorous discussion in Turkey about the role of Islam in society. An Islamic Party, the Justice and Development Party (AKP), led by prime minister Tayyip Erdogan, is in a protracted but restrained contest for power with other parties and the Turkish military. On May 28 the delegation met with specialists in Istanbul who represent a range of views in Turkey's academic and journalistic world on the country's future, and on the debate over the role of Islam and secularism in Turkish society.

Our meetings in Istanbul prepared us for our visit the next day to Ankara, where we held a succession of meetings with senior government officials. We met with prime minister Erdogan, with whom we had a direct but constructive discussion over U.S.-Turkish relations and on Turkey's future. We then met with our former NATO Parliamentary Assembly colleague, Abdullah Gul, now the president of Turkey and also a member of the AKP. We had a very cordial discussion on a range of issues. It is clear that U.S.-Turkish relations have improved since November 2007, when the United States began to assist Turkey in its effort to subdue the Kurdish terrorist movement known as the PKK, which is seeking to carve away Turkish territory and unite it with part of northern Iraq, where Kurds also live. Finally, we had a meeting with the defense minister Vecdi Gonul, a civilian who is an important link for the AKP to the Turkish military. We are hoping that our Turkish friends in the political parties and the military will resolve their differences peacefully, and that Turkish democracy will be strengthened.

While in Ankara, the delegation went to the tomb of Kemal Ataturk, the founder of modern Turkey. I laid a wreath and signed a memorial book in honor of the man who established the secular Turkish state. It was a solemn occasion on a brilliantly bright, sunny day.

After our meetings in Ankara, that night the delegation proceeded to Adana, where the Turkish military base Incirlik is located. U.S. forces, with Turkish permission, fly supply missions to Iraq and Afghanistan from Incirlik. Adana and the base are located near the Syrian border. The following morning we met with the governor of Adana, who gave us a briefing on PKK activity and on political developments in the Adana region. He was a strong advocate of Turkish membership in the EU, which he believes would strengthen Turkish democracy.

At Incirlik, we also had the opportunity to meet with some of our troops who are from our constituencies. These are the young men and women that make the United States safe and secure, whether serving here or in distant places. We should keep them in our thoughts as we appreciate the stability and security that we enjoy here in the United States.

By chance, we crossed paths at Incirlik with Gen. David Petraeus, who was at the base for a brief stay. He offered to meet with the delegation, and there was an interesting exchange of views on a range of strategic issues.

On May 31 we left Incirlik at an early hour for the flight to Kabul, where we spent the entire day. The stabilization of Afghanistan is NATO's principal mission. Many believe that NATO's credibility is on the line in Afghanistan because the allies have pledged to commit the resources to stabilize the country to prevent the reappearance of a failed state, a failed state that caused the tragedy of 9/11. There are clearly differences in the alliance over how to accomplish this objective. Some governments prefer to employ economic reconstruction assistance and avoid sending their troops into combat; these tend to be the governments that have the most restrictive caveats on their forces.

We met with the most senior U.S. officials in Kabul to discuss Afghanistan's path to stabilization. Our meetings were highly substantive, and we all gained valuable information on ISAF's effort and on U.S. perspectives and initiatives. We also met with Afghan President Hamid Karzai, and had an extensive discussion of Afghanistan's problems and prospects.

In Afghanistan, there can be no reconstruction without security. The Taliban is not a strong force, but the Afghan state lacks strong, enduring institutions. There must be security therefore for the rebuilding effort to succeed. ISAF may need more forces in the coming year in order to secure territory cleared of the Taliban. A positive development is that approximately 25% of the combat missions are now led by the Afghan National Army (ANA), with strong backing from the U.S. and some other NATO militaries. During our meetings in Kabul, U.S. officials were upbeat on the progress of the ANA, but the task of securing Afghanistan is far from finished. The poppy crop continues to thrive in the south, some warlords maintain a sway over territory that has never been under the control of an Afghan government, and there are enduring tribal rivalries and distrust of Kabul.

Closely associated with the issue of engagement of the Taliban in combat is the need to establish a viable economy and justice system. The Soviet and Taliban eras decimated the educated elite. The number of persons trained as lawyers and judges is minimal. At the base of the justice system is the police. The EU has struggled to develop a program to train the police, so the U.S. military has stepped in. Gen. Cone is developing more professional police cohorts one region at a time, and backing them with the U.S. military until they establish their authority. This will be a long-term effort, and it is going to require patience on the part of NATO publics.

Members and staff also met with U.S. participants in ISAF's Provincial Reconstruction Teams (PRTs), the leading edge of bringing reconstruction to Afghanistan through such efforts as road building, school and hospital con-

struction, and the development of local markets. A basic economy has begun to appear around some of the PRTs, but there remains much to accomplish.

There are three key needs for the PRTs. The first is the placement of agricultural specialists in each of the 26 ISAF PRTs. The United States only recently placed one agricultural specialist at each of its 13 PRTs; the need is great for agricultural specialists at other NATO PRTs, and in the local agricultural schools. Afghanistan is and will remain for the foreseeable future an agrarian economy, now dependent largely on poppies. This poppy culture must diminish over time, perhaps to be replaced by orchard crops and wheat. This effort will take time.

A second need for the PRTs is the hiring of local Afghans who can assist our own officials in understanding local practices and political authority, and who can serve as guides as we plan efforts to rebuild the country.

A third need for the PRTs is the availability of transport. Today, our civilians in the PRTs must rely heavily on the military to move them around the region where they live. But because security comes first, the civilian specialists must often wait lengthy periods of time to obtain the transport and accompanying security to accomplish their tasks.

Our trip to Afghanistan was highly informative and there remains much to digest about what we learned. This was a difficult, but valuable trip that provided insights into one of the United States' most difficult foreign policy problems.

As always we were extremely well-served by our accompanying military personnel. The 932nd Airlift Wing, Air Force Reserve now at Scott Air Force Base, Ill., provided exceptional professionalism in assisting us throughout our trip and ensuring our safety in moving throughout Europe and to Afghanistan. All worked long hours to ensure that our trip went smoothly. I thank them for their hard work and their dedication to duty.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. BARRETT of South Carolina. Madam Speaker, due to unforeseen circumstances, I unfortunately missed recorded votes on the House floor on Monday, June 9, 2008.

Had I been present, I would have voted "yea" on rollcall vote No. 388 (Motion to suspend the rules and agree to H. Res. 1225), "yea" on rollcall vote No. 389 (Motion to suspend the rules and agree to H. Res. 1243), and "yea" on rollcall vote No. 390 (Motion to suspend the rules and agree to H. Res. 127).

HONORING DR. I.C. TURNLEY, JR.,
FOR 50 YEARS OF SERVICE TO
LASALLE PARISH

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. ALEXANDER. Madam Speaker, I rise today to honor Dr. I.C. Turnley, Jr., who for

the last 50 years has faithfully served the people of Jena, LA, and LaSalle Parish through his medical practice, which he first opened on July 1, 1958.

While enrolled as a pre-med student at Louisiana Tech University in Ruston, LA, Dr. Turnley answered the call a great many in his generation answered. He put his education on hold and enrolled in the U.S. military to serve his country in World War II and was awarded commendation for his work at the U.S. Navy Hospital in San Diego. After his service, he returned home to Louisiana to complete his undergrad studies at Louisiana Tech and later earn his medical degree from Louisiana State University in 1956.

In addition to his private practice in Jena, Dr. Turnley served on staff at the Jena Hospital and later the LaSalle General Hospital when it was opened in the early 1970s. He also bears a unique distinction in the State of Louisiana as the longest serving elected official, having served as the parish coroner for the past 48 years.

Beyond his work as a physician, Dr. Turnley has been active in Masonic work in Jena and was elected as Grand Master of the Freemasons for the State of Louisiana in 1996.

The "Dr. Turnleys of the world" are the very ones who built up our Nation following World War II; they are the ones who are respected and admired in their communities, the ones who have dedicated not only their talents and abilities but their time and their compassion in an effort to help their fellow citizens. Yet, while many small communities may boast men and women like Dr. Turnley, to Jena, there is no other quite like him.

To honor him, Murphy McMillin, mayor of Jena, has declared Friday, June 20, 2008, as "Dr. I.C. Turnley, Jr. Day."

Madam Speaker, Americans such as Dr. I.C. Turnley, Jr., deserve recognition from the United States Congress as well. I ask my colleagues to join me in thanking Dr. Turnley for all he has done for his community and his country.

CELEBRATING SYLVANIA OHIO'S 150TH ANNIVERSARY

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Ms. KAPTUR. Madam Speaker, I rise today to recognize a milestone anniversary for the City of Sylvania in my district. This month, Sylvania celebrates the 150th anniversary of its founding.

Founded in 1833 by General David White and Judge William Wilson at the junction of Ten Mile and Ottawa Creeks near the present day border of Ohio and Michigan, the area was originally the campgrounds of Erie, Chippewa and Wyandot tribes. First settlers' names continue through generations, including Lathrop, Pease, Printup, Rice, Green and Cosgrove. They established the first Sylvania school and church early on: both the Stone Academy and First Presbyterian Church were established in 1834.

In 1876, the town was formally incorporated. Truly a sylvan glade with more than one thousand trees, Sylvania took its name from the

Latin "sylvan" meaning "the woods." It remains a city of trees today, including 27 varieties of maple, with the maple leaf as the city's symbol.

In the decades which followed through the nineteenth, twentieth, and now the twenty-first century, Sylvania has prospered. It is a caring community with fine schools and first rate services for young and old and families. Sylvania remains a bucolic community reminiscent of its wooded early history, yet offers a bustling suburban economy of thriving businesses. Its Main Street retains charm from its past, but Sylvania at 150 years is a city moving forward. I am pleased to offer the congratulations of our entire region during this sesquicentennial celebration.

REMARKS IN RECOGNITION OF
THE 30TH ANNIVERSARY OF CORA

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Ms. SPEIER. Madam Speaker, this week, CORA—Community Overcoming Relationship Abuse—celebrates the thirtieth anniversary of comprehensive domestic violence support in San Mateo County.

Three decades ago, a victim of domestic violence on the San Francisco peninsula had no resources outside of hospitals and the police. Then in 1978, La Casa de San Mateo opened its doors to become the county's first and only emergency shelter for domestic violence survivors and their children. La Casa later changed its name to the Center for Domestic Violence Prevention and in 2003, partnered with Sor Juana Ines, the first toll-free domestic violence hotline in the county, to become CORA.

CORA's mission is to end domestic violence and abuse through intervention and prevention. The dedicated staff and volunteers respond to thousands of calls on the CORA hotline, and answer an equal number of requests for legal assistance each year. They serve more than 6,000 clients annually, providing legal, medical and mental health services, as well as counseling and safety in the county's only shelter for abuse victims and their children. This operation is overseen by the CORA governing board and a diverse staff of 35 who represent the vibrant cross-section of the county and region. Besides English and Spanish, CORA staff-members speak Tagalog, French, Mandarin, Italian, Korean, Hindi, and Farsi.

Madam Speaker, domestic violence is a silent epidemic. Every nine seconds, a woman in our country is abused by someone she knows. Millions of children witness acts of violence involving one or more parents every year. And one in five female high school students reports being physically or sexually abused by a dating partner.

Domestic violence impacts all of us. It is a significant drain on police and emergency resources and costs the national economy eight to ten billion dollars annually in medical bills, community support and lost wages and productivity. It is also a leading cause of homelessness and often leads to depression, substance abuse and—most troubling—an increased likelihood that victims and young wit-

nesses will go on to become abusers themselves.

Madam Speaker, thanks to increased public awareness, domestic abuse is emerging from the shadows of shame and ignorance. Still, there are far too many instances of cruel and dehumanizing behavior within what should be the security of the family home. Because of this, society will always need an organization like CORA. My sincere hope is that, someday, we will need them less.

SUPPORTING OUR MEN AND
WOMEN SERVING IN THE MILITARY
AND URGING CONGRESS
TO CONTINUE FUNDING FOR THE
AMYOTROPHIC LATERAL SCLEROSIS
RESEARCH PROGRAM
(ALSRP) AT THE DEPARTMENT
OF DEFENSE

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Ms. ZOE LOFGREN of California. Madam Speaker, I rise today to express my support for our men and women serving in the military and to urge Congress to continue funding for the Amyotrophic Lateral Sclerosis Research Program (ALSRP) at the Department of Defense.

Studies conducted by the DOD and Veterans Administration have found that those who served in the 1991 Gulf War are approximately twice as likely to die from ALS, the deadly disease that took the life of baseball legend Lou Gehrig, as those who did not serve in the Gulf. In addition, current research suggests that ALS is occurring at greater rates in those who are serving in the current conflict in Iraq. Tragically, there is no effective treatment for ALS and it is fatal in just two to five years after diagnosis.

The ALSRP is an innovative program that has the potential not only to develop new treatments for ALS that benefit our soldiers and veterans but also to determine why they are at greater risk and enable us to take action to protect them. I therefore urge the Appropriations Committee to include \$5 million for the ALSRP in the FY 2009 DOD Appropriations bill.

A TRIBUTE TO SENATOR KENNEDY

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. MEEK of Florida. Madam Speaker, I would like to submit the following passage on Senator TED KENNEDY written by Albert Carey Caswell.

A LION IN WINTER

A Lion in Winter . . .
Facing The Storm, with The Heart of A
Champion . . . so very warm . . .
Where courage lives, to help you move on!

An American Tale, as a nation so stands behind you Ted . . . with all of our prayers, so now!

Take this to your heart Ted, take this to your soul . . . as you move out so to behold!

In this your battle to be won . . .

In this your war to be waged, in this but another chapter Ted . . . in your life's most heroic page . . . of all ones!

As you face this new morning, as you face this dark sun!

Standing Tall, to do what must so be done!

To Fight That Good Fight, To Wage That Great War, our Lion In Winter . . . Our Precious American Son sure!

From deep down inside, that great Irish Heart . . . win this Great Battle, This Great War begun . . .

For A Lion In Winter . . .

With the Heart of A Champ, against all odds . . . we can hear your roar, can victory so command!

For no man known's more, what a heart can so endure . . . and can so stand!

Ted it's the bottom of the 9th, with two outs! Like the Teddy before you of The Sox's, we know you too can pull this one out!

Go with God My Son, as you have always done . . . we know you will be rounding the bases, no doubt!

PERSONAL EXPLANATION

HON. STEPHANIE HERSETH SANDLIN

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Ms. HERSETH SANDLIN. Madam Speaker, I regret that I was unable to participate in three votes on the floor of the House of Representatives on June 9, 2008. I was absent due to illness.

As noted, I was not present for three votes: The first vote was H. Res. 1225, Expressing support for designation of June 2008 as "National Safety Month." Had I been present, I would have voted "yea" on that question.

The second vote was H. Res. 1243, Recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day. Had I been present, I would have voted "yea" on that question.

The third vote was H. Res. 127, Recognizing and celebrating the 50th anniversary of the entry of Alaska in the Union as the 49th State. Had I been present, I would have voted "yea" on that question.

IN HONOR OF THE GRAND OPENING OF GREENHUNTER ENERGY'S RENEWABLE FUELS CAMPUS IN HOUSTON, TEXAS

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. GENE GREEN of Texas. Madam Speaker, I am proud to honor the grand opening of GreenHunter Energy's Renewable Fuels Campus located in my congressional district in Houston, Texas.

GreenHunter Energy's renewable fuels campus—a converted waste oil refinery—is the largest and most versatile biodiesel refinery in the U.S. to date. The campus includes a 105 million gallon per year biodiesel refinery, a 700,000 barrel bulk liquid terminal operation, a

200 million pound-per-year glycerin distillation system, and a 45,000 barrel-per-month methanol distillation tower.

GreenHunter Energy's biodiesel refinery is "feedstock agnostic", meaning that it can use 100 percent animal fats, 100 percent vegetable oils, or any blend of the two interchangeably. By producing biodiesel from multiple feedstocks, including non-edible sources such as tallow and jatropha, GreenHunter offers practical solutions to the ongoing "food versus fuels" debate.

Located along Houston's Ship Channel, GreenHunter's campus has deepwater access and the ability to transport products via barge, rail, and truck. Biodiesel generators at the site will provide enough electricity for GreenHunter to power the campus and sell unneeded renewable power back to the area's power grid.

The addition of GreenHunter Energy's zero emission facility has created many new long-term jobs for Texans and will help move our nation closer to its goal of reducing dependence on foreign crude oil supplies.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mrs. MALONEY of New York. Madam Speaker, on June 9, 2008, I missed rollcall votes No. 388, Expressing support for designation of June 2008 as "National Safety Month," 389, Recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day; and 390, Recognizing and celebrating the 50th anniversary of the entry of Alaska into the Union as the 49th State.

Had I been present, I would have voted "yea" on rollcall votes No. 388, 389, and 390.

INTRODUCTION OF THE WORKING FAMILIES GAS TAX CREDIT ACT OF 2008

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. HASTINGS of Florida. Madam Speaker, I am honored to rise today to introduce the Working Families Gas Tax Credit Act of 2008. Similar to legislation that I introduced in the 109th Congress, this bill will provide greatly needed tax credits to individuals and families so that they can cope with soaring gas prices.

The Working Families Gas Tax Credit Act will provide a \$500 tax credit to individuals and a \$1,000 tax credit to families who make up to \$75,000 or \$150,000 or less, respectively.

This legislation will act as a secondary economic stimulus by providing credits to all individuals and families who were eligible for the economic stimulus rebate recently passed into law by the Democratic Congress. Similar to the 2008 economic stimulus package, the amount of the credit will phase out for individ-

uals making over \$75,000 and families making over \$150,000.

Madam Speaker, working families are paying twice as much as they were paying for a gallon of gas last year while oil companies are reporting record profits. It's literally highway robbery, especially when you consider that beyond housing costs, low- and middle-income households in the United States spend more of their earnings on transportation than anything else. Americans are looking to Congress to help them respond to unwarranted gas price increases. The Working Families Gas Tax Credit Act will give working families the temporary relief that they need during this difficult time.

While it is true that there have been a number of proposals offered by our colleagues to confront current fuel price challenges, this proposal is unique in that it will put necessary resources directly in the hands of consumers. This will be an important stop gap measure as we reprioritize our international fuel prices and confront the corruption and failed policies that have led to our Nation's unsustainable oil addiction.

I encourage my colleagues to support this necessary legislation and look forward to its expedient passage.

150 YEARS OF SPIRITUAL LEADERSHIP IN THE COMMUNITY

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. FRANK of Massachusetts. Madam Speaker, this year marks the 150th Anniversary of an extraordinarily important religious congregation in the city of Newton, which I am proud to represent in this body, and where I have lived for 28 years. Congregation Mishkan Tefila has been an important part of the city of Newton since 1858. At that point, of course, Jewish citizens of the city were a very small number of a much smaller city. Over time, both the city and the Jewish population have grown significantly, and Temple Mishkan Tefila has been an important element in the growth of both. Temple Mishkan Tefila has of course been primarily a place of worship for large numbers of Jewish men, women and young people, and through a series of outstanding rabbis and other leaders, it has performed that essential function superbly. It has also been a forum for community leadership in a number of other ways. Its doors have always been open to the community, both its own members and the community at large, and I have personally benefited from that openness on a number of occasions by being able to participate in forums that the temple has run, which have helped me and others fulfill our duties to relate to our constituents.

Madam Speaker, I am very pleased to be able to salute the members of the Mishkan Tefila Congregation on this 150th Anniversary, and congratulate them on their opportunity both to look back on a very proud history, and to look forward to the promise of continued great service in the years ahead.

HONORING THE LEGACY OF CONSTANTINO BRUMIDI

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. MICA. Madam Speaker, I rise today to honor the life and legacy of Constantino Brumidi, who has been referred to as the Michelangelo of the United States Capitol Building. It is appropriate that Congress honor his incredible contributions to our Nation by awarding him the Congressional Gold Medal.

On July 26, 1805, Constantino Brumidi was born in Rome, Italy of an Italian mother and a Greek father who inspired him with a love of liberty. While Constantino Brumidi's Greek ancestry stirred his passion for liberty and citizenship, his Italian heritage provided the art styles of the Renaissance and the Baroque which influenced the artwork of the U.S. Capitol.

Constantino Brumidi became a citizen of the United States as soon as he was able, embracing its history, values and ideals. Beginning in 1855, Constantino Brumidi designed and decorated one House and five Senate committee rooms in the Capitol, as well as the Senate Reception Room, the Office of the Vice President and most notably, the President's Room, which represents Brumidi's supreme effort "to make beautiful the Capitol" of the United States.

In 1865, Constantino Brumidi completed, in just 11 months, his masterpiece, "The Apotheosis of Washington," in the eye of the Capitol dome. In 1871, Constantino Brumidi created the first tribute to an African American in the Capitol when he placed the figure of Crispus Attucks at the center of his fresco of the Boston Massacre. In 1878, Constantino Brumidi, at the age of 72, and in poor health, began work on the Rotunda frieze, which chronicles the history of America. On February 19, 1880, Constantino Brumidi died at the age of 74, four and a half months after slipping and nearly falling from a scaffold while working on the Rotunda frieze.

Constantino Brumidi, proud of his artistic accomplishments and devoted to his adopted country, said: "My one ambition and my daily prayer is that I may live long enough to make beautiful the Capitol of the one country on earth in which there is liberty."

Madam Speaker, Constantino Brumidi's life and work exemplifies the lives of millions of immigrants who came to pursue the American dream.

CELEBRATING THE 10TH ANNIVERSARY OF NORTEX MODULAR SPACE IN LEWISVILLE, TX

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. BURGESS. Madam Speaker, I rise today to congratulate the outstanding accomplishments of Nortex Modular Space of Lewisville, Texas, an exemplary organization in North Texas that is celebrating its 10th Anniversary.

Nortex Modular Space is a small business manufacturer with 95 employees based in

Lewisville, and it is the leading manufacturer of durable and energy efficient mobile and modular office and classroom buildings. Jim and Sherry Stewart started Nortex Modular Space in Highland Village in 1998 and have a lease fleet of over 700 mobile office and mobile classroom units.

The company specializes in the sale, lease, rental, repair and renovation of modular and portable buildings, mobile office trailers, portable classroom buildings, re-locatable buildings, modular church buildings, GSA modular buildings, temporary offices, classrooms, as well as medical and special use buildings to government and private industry.

Nortex Modular Space has clients all around the country and even overseas. Customers include the U.S. Department of the Interior, the U.S. Secret Service, the City of Dallas, the U.S. Army, the Texas Department of Transportation, the University of Texas at Arlington and the University of North Texas.

In 2005, Nortex Modular Space was recognized by DiversityBusiness.com, the nation's leading multicultural internet site, as one of the Top 100 Small Businesses in Texas. Small businesses form the backbone of the American economy, which is the strongest in the world. They account for half of gross domestic product, more than half of American jobs, and three-fourths of new jobs created each year.

Madam Speaker, it is with great honor that I rise today to recognize Nortex Modular Space and celebrate its 10-year anniversary. This excellent company has served North Texans for 10 good years, and I am certain they will continue their good work for many more years to come.

HONORING THE RETIREMENT OF MASTER CHIEF JOHN E. DOWNEY, UNITED STATES COAST GUARD

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 10, 2008

Mr. OBERSTAR. Madam Speaker, it gives me great pleasure to rise today to honor a truly great member of the U.S. Coast Guard—Master Chief John E. “Jack” Downey—who was throughout his 41 years of service “always ready for the call.”

Master Chief Downey enlisted in the Coast Guard at age 19 from his hometown of Narragansett, Rhode Island, in 1966 and will retire at Station Point Judith in Narragansett on the 20th of this month, having served continuously in the Coast Guard in reserve and active duty status for almost 42 years. Master Chief Downey is retiring as Command Master Chief of Coast Guard District One (Boston, Massachusetts)—one of the nine Command Master Chiefs in the Coast Guard. He has served in this position since September of 2006.

Seaman Recruit Jack Downey reported to the Coast Guard Training Center, Cape May, New Jersey, on November 11, 1966, and completed basic training in February 1967. Seaman Apprentice Downey reported to Coast Guard Cutter *Casco* (WHEC 370) on March 8, 1967, and was promoted to Seaman on November 1, 1967.

On December 15, 1967, Seaman Downey reported to Coast Guard Air Station Salem,

Massachusetts where he was a rescue boat crewman for water take-offs and landings—in the days of amphibious fix-wing aircraft.

Seaman Downey transferred to Station Point Judith, Rhode Island, in March 1968, where he served on active duty until 1970, then 8½ years in reserve status, returning to active duty in 1979 and continuing his service at Pt. Judith until 1982. While stationed at Pt. Judith, Downey was promoted to Boatswain's Mate Third Class on January 16, 1969, to Boatswain's Mate Second Class on December 16, 1969, to Boatswain's Mate First Class on April 1, 1972, to Chief Boatswain's Mate on September 1, 1975 and to Senior Chief Boatswain's Mate April 1, 1980.

Senior Chief Downey returned to sea duty on the Coast Guard Cutter *Chase* (WHEC 718) on January 10, 1982.

In addition to service on the CGC *Casco* and CGC *Chase*, Boatswain's Mate Downey had many temporary assignments afloat on CGC *Seneca* (WMEC 906), CGC *Reliance* (WMEC 615), CGC *Neah Bay* (WTGB 105), CGC *Cape George* (WPB 95306) and CGC *Point Hannon* (WPB 82355). Many of these Temporary Assigned Duty assignments were necessitated by the Coast Guard's need to “fix” a leadership issue—a position Jack Downey found himself in on more than one occasion.

On February 21, 1984, Senior Chief Downey returned shore duty at Group/Station Woods Hole, Massachusetts where he was Officer-In-Charge of the Station.

Senior Chief Downey took command, as Officer-In-Charge, of Coast Guard Cutter *Towline* (WYTL 65605), a 65-foot harbor tug/ice-breaker, on June 15, 1987.

On November 1, 1988, Senior Chief Downey transferred to Coast Guard Station Chatham at the elbow of Cape Cod, Massachusetts, where he faced one of his most challenging assignments—dealing with an unforgiving and ever changing environment, and a community whose faith in the Coast Guard was at a low-ebb because of a failure of leadership. Senior Chief Downey, whose skills as a Boatswain's Mate are only exceeded by his skills in dealing with people, not only mastered the treacherous Chatham Bar, he won the loving respect of the community.

Senior Chief Downey's time in Chatham had both harrowing and amusing moments. In 1991 Station Chatham acquired a much-needed new surf capable rescue boat—the 28-foot *LeCompte* (CG 280502). In October—shortly after the boat arrived, Cape Cod and New England were slammed by the “No Name” or “Halloween” Storm—later known as the “Perfect Storm.” Downey and his crew secured the boat in the north “jog” of the Chatham Fish Pier in preparation for the onslaught of the storm. Little did they know just how ferocious the gale would be—as the storm intensified and the tide rose to record levels, boats broke loose from their moorings and debris piled up in the jog. One fishing vessel landed up against the *LeCompte*, prompting Downey to comment, “Well that's a \$120,000 fender you've got there.”

In May of 1993, at the Change-of-Command, hundreds came from all over Cape Cod to honor Jack Downey for his dedication and service to the maritime community, and to wish him well in his next assignment across Nantucket Sound at Coast Guard Station Brant Point on Nantucket Island, Massachu-

setts, where he took command, as Officer-In-Charge, on May 17, 1993.

On June 26, 1998, Senior Chief Downey returned “home” to as Officer-In-Charge of Coast Guard Station Point Judith, Rhode Island, and was promoted to Master Chief on September 1, 1998.

While Officer-In-Charge of Station Point Judith Master Chief Downey was called upon by the Group Commander to fill temporary commands concurrent with his responsibilities for his Station. On one occasion, when the Officer-In-Charge of CGC *Hammerhead* (WPB 87302) was not-fit-for-duty due to a leg fracture, Master Chief Downey assumed command of a brand new class of patrol boat with which he was completely unfamiliar, and on another he returned to Station Brant Point on Nantucket to lead the Station while the Officer-In-Charge was assigned to a joint service academy. On both the occasions answered the call—all the while ensuring that Station Point Judith ran smoothly and fulfilled all its responsibilities.

Master Chief Downey left Point Judith and in 2000, and on August 10th became the lead instructor for the Command and Operations School at the Leadership and Development Center located at the Coast Guard Academy in New London, Connecticut.

Master Chief Downey returned to sea duty on July 2, 2005 to take command, for a second time, as Officer-In-Charge, of Coast Guard Cutter *Hammerhead* (WPB 87302) an 87-foot Patrol Boat operating out of Group Woods Hole with responsibility for law enforcement, fisheries patrols, search and rescue, environmental protection and port, waterways and coastal security.

On August 28, 2006, Master Chief Downey became the Command Master Chief, First Coast Guard District, Boston, Massachusetts—the senior enlisted advisor to Rear Admiral Timothy S. Sullivan, Commander, First Coast Guard District, on issues and initiatives pertaining to all Coast Guard members and their families within District One.

On June 20, 2008—after 41-years of continuous service in the United States Coast Guard—Master Chief John E. “Jack” Downey returns to Station Point Judith, Rhode Island where he will—with regret—retire.

Master Chief Downey has received many awards during his distinguished career. Having held the position of Officer-In-Charge of boat force units for more than 17 years of the more than 20 years he served in the boat forces community, he was the first recipient of the Joshua James Keeper Award—the “Ancient Keeper” award—that recognizes longevity in the Coast Guard boat force operations. This award is named in honor of Captain Joshua James—the most celebrated life-saver in U.S. history—who served in the Massachusetts Humane Society and the U.S. Life-Saving Service. James died at the age of 75 after drilling his crew during a northeast gale in March of 1902 shortly after the tragic loss of a life-saving crew off Monomoy Point in Chatham, Massachusetts.

Master Chief Downey's other Coast Guard awards include the Meritorious Service Award with a gold star and operational distinguishing device, the Coast Guard Commendation Medal with three gold stars and an operational distinguishing device, the Coast Guard Achievement Medal with operational distinguishing device, the Coast Guard Good Conduct Medal with silver star, and the Letter of

Commendation with an operational distinguishing device. In addition to his Coast Guard awards, Master Chief Downey is the recipient of the prestigious NAVY League Douglas A. Monro Award that is "awarded for inspirational leadership . . . to the Coast Guard enlisted member who has demonstrated outstanding leadership and professional competence."

Madam Speaker, you may have noticed that Master Chief Downey has managed to spend most of his career in Coast Guard District One, and much of that in Group Woods Hole (now Sector Southeast New England). His tremendous local knowledge of the treacherous waters in this region added value to every one of his Coast Guard assignments—and he often called on this local knowledge to keep Group Commanders "out of trouble." Master Chief is a leadership "fixer"—the person you go to when there is a unit in trouble.

The communities where Master Chief Downey has served have recognized him with awards and proclamations too numerous to mention—they would cover several walls were he to display them—because Jack understands well the important roll the Coast Guard plays in the lives of New England towns. Local officials, townspeople and fellow mariners have recognized his great contribution and will miss his steadying hand.

In fact, a Group Commander once said that after Jack Downey retires, "the Coast Guard should hire him back, not to train Officers-In-Charge of small-boat stations, but rather to train Group Commanders."

Throughout the Coast Guard—and particularly in Southeast New England—there are Coast Guard men and women, Officers-In-Charge, who were mentored by Master Chief Downey. Many of them—along with many retired officers, including former District and Group Commanders, fellow boat-drivers and

shipmates—will join the Vice-Commandant and the Atlantic Area Commander of the Coast Guard on June 20th to honor his long service and dedication to the Coast Guard.

John E. "Jack" Downey's service to the country, the United States Coast Guard and New England are best expressed in the words used by Superintendent Sumner Increase Kimball when he spoke of Joshua James—

Here and there may be found men in all walks of life who neither wonder or care how much or how little the world thinks of them. They pursue life's pathway, doing their appointed tasks without ostentation, loving their work for the work's sake, content to live and do in the present rather than look for the uncertain rewards of the future. To them notoriety, distinction, or even fame, acts neither as a spur not a check to endeavor, yet they are really among the foremost of those who do the world's work.

Master Chief John E. "Jack" Downey is one of those men.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5397–S5459

Measures Introduced: Seven bills and three resolutions were introduced, as follows: S. 3104–3110, S. Res. 589–590, and S. Con. Res. 88. **Page S5447**

Measures Reported:

S. 2607, to make a technical correction to section 3009 of the Deficit Reduction Act of 2005. (S. Rept. No. 110–348) **Page S5447**

Measures Passed:

American Veterans Disabled for Life Commemorative Coin Act: Senate passed H.R. 634, to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States, after agreeing to the committee amendment. **Pages S5456–57**

Local Preparedness Acquisition Act: Senate passed H.R. 3179, to amend title 40, United States Code, to authorize the use of Federal supply schedules for the acquisition of law enforcement, security, and certain other related items by State and local governments, clearing the measure for the President. **Page S5457**

National Health Information Technology Week: Senate agreed to S. Res. 589, designating the week beginning June 9, 2008, as “National Health Information Technology Week”. **Page S5457**

Celebrating the 233rd Birthday of the Army: Senate agreed to S. Res. 590, celebrating the 233rd birthday of the Army and commending the men and women of the Army as exceptional individuals who live by the Army values of loyalty, duty, respect, selfless service, honor, integrity, and personal courage. **Pages S5457–58**

Measures Considered:

Consumer-First Energy Act: Senate continued consideration of the motion to proceed to consideration of S. 3044, to provide energy price relief and hold oil companies and other entities accountable for their actions with regard to high energy prices. **Pages S5399–S5410, S5417, S5418–36**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 43 nays (Vote No. 146), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S5409–10**

Senator Reid entered a motion to reconsider the vote by which the motion to close further debate on the motion to proceed to consideration of the bill (listed above) failed. **Page S5410**

Subsequently, the motion to proceed was withdrawn. **Page S5431**

Energy and Tax Extenders Act: Senate resumed consideration of the motion to proceed to consideration of H.R. 6049, to amend the Internal Revenue Code of 1986 to provide incentives for energy production and conservation, to extend certain expiring provisions, to provide individual income tax relief. **Pages S5410–12**

During consideration of this measure today, Senate also took the following action:

By 50 yeas to 44 nays (Vote No. 147), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the motion to proceed to consideration of the bill. **Page S5410**

Medicare Improvements for Patients and Providers Act: Senate began consideration of the motion to proceed to consideration of S. 3101, to amend titles XVIII and XIX of the Social Security Act to extend expiring provisions under the Medicare program, to improve beneficiary access to preventive and mental health services, to enhance low-income benefit programs, and to maintain access to care in rural areas, including pharmacy access. **Page S5431**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, June 12, 2008. **Page S5431**

Subsequently, the motion to proceed was withdrawn. **Page S5431**

A unanimous-consent-time agreement was reached providing that at approximately 10:30 a.m. on Wednesday, June 11, 2008, Senate continue consideration of the motion to proceed to consideration of the bill; that there be 4 hours of debate equally divided and controlled between the two Leaders or their designees, and the time therein be controlled in periods of 30 minutes, in alternating fashion, with the Majority controlling the first 30 minutes therein, and the Republicans controlling the next 30 minutes therein; and that upon conclusion of said 4-hour period, Senators be permitted to speak for 10 minutes each.

Page S5458

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 94 yeas (Vote No. EX. 148), Mark S. Davis, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Pages S5412–17

David Gregory Kays, of Missouri, to be United States District Judge for the Western District of Missouri.

Pages S5412–17

Stephen N. Limbaugh, Jr., of Missouri, to be United States District Judge for the Eastern District of Missouri.

Pages S5412–17

Michael E. Leiter, of the District of Columbia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

Pages S5458, S5459

Nominations Received: Senate received the following nominations:

Frederick S. Celec, of Virginia, to be Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs.

John Melvin Jones, of Virginia, to be Ambassador to the Co-operative Republic of Guyana.

John W. Leslie, Jr., of Connecticut, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2013.

John O. Agwunobi, of Florida, to be a Member of the Board of Directors of the African Development Foundation for a term expiring February 9, 2014.

Julius E. Coles, of Georgia, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2011.

Morgan W. Davis, of California, to be a Member of the Board of Directors of the African Development Foundation for a term expiring November 13, 2013.

Marylyn Andrea Howe, of Massachusetts, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Lonnie C. Moore, of Kansas, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Heather McCallum, of Georgia, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Christina Alvarado Shanahan, of North Carolina, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Pages S5458–59

Messages from the House:

Pages S5445–46

Measures Referred:

Page S5446

Measures Placed on the Calendar:

Page S5446

Enrolled Bills Presented:

Page S5446

Executive Communications:

Page S5446

Petitions and Memorials:

Pages S5446–47

Additional Cosponsors:

Pages S5447–49

Statements on Introduced Bills/Resolutions:

Pages S5449–56

Additional Statements:

Pages S5442–45

Notices of Hearings/Meetings:

Page S5456

Authorities for Committees to Meet:

Page S5456

Privileges of the Floor:

Page S5456

Record Votes: Three record votes were taken today. (Total—148)

Pages S5409–10, S5410, S5417

Adjournment: Senate convened at 10:00 a.m. and adjourned at 7:33 p.m., until 9:30 a.m. on Wednesday, June 11, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5458.)

Committee Meetings

(Committees not listed did not meet)

UNITED STATES-IRAQ NEGOTIATIONS

Committee on Armed Services: Committee met in closed session to receive a briefing on the status of the United States-Iraq negotiations, focusing on a strategic framework agreement and status of forces agreement from Brett McGurk, Director for Iraq, National Security Council; Mark Kimmitt, Deputy Assistant Secretary of Defense for Middle Eastern Affairs; and Chat Blakeman, Office of Iraq Affairs, Bureau of Near Eastern Affairs, Department of State.

NATIONAL STRATEGIES FOR EFFICIENT FREIGHT MOVEMENT

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security concluded a hearing to examine national strategies for efficient

freight movement, after receiving testimony from Paul Brubaker, Administrator, Research and Innovative Technology Administration, Department of Transportation; Rear Admiral Richard M. Larrabee, Port Authority of New York and New Jersey, and Astrid C. Glynn, New York State Department of Transportation, on behalf of the American Association of State Highway and Transportation Officials (AASHTO), both of New York, New York; Edward R. Hamberger, Association of American Railroads, Washington, D.C.; and Glenn Vanselow, Pacific Northwest Waterways Association, Portland, Oregon.

HEALTH INSURANCE COVERAGE

Committee on Finance: Committee concluded a hearing to examine issues relative to the 47 million Americans without health care insurance, focusing on the current health care marketplace, after receiving testimony from Raymond Arth, Phoenix Products, Inc., Avon Lake, Ohio, on behalf of the National Small Business Association; Ronald A. Williams, Aetna, Inc., Hartford, Connecticut; Mark A. Hall, Wake

Forest University Health Sciences, Winston-Salem, North Carolina; and Lisa Kelly, Lake Jackson, Texas.

COERCIVE INTERROGATION TECHNIQUES

Committee on the Judiciary: Committee concluded a hearing to examine the efficacy of coercive interrogation techniques, focusing on the Federal Bureau of Investigation's (FBI) role, after receiving testimony from Glenn A. Fine, Inspector General, Valerie E. Caproni, General Counsel, Federal Bureau of Investigation, and John E. Cloonan, former Federal Bureau of Investigation Special Agent, West Caldwell, New Jersey, all of the Department of Justice; Philippe Sands, University College London, London, United Kingdom; and Philip B. Heymann, Harvard Law School, Cambridge, Massachusetts.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 6219–6231; 1 private bill, H.R. 6232; and 6 resolutions, H. Con. Res. 369–370; and H.Res. 1256, 1259–1261 were introduced.

Pages H5213–24, H5215

Additional Cosponsors:

Pages H5215–16

Reports Filed: Reports were filed today as follows:

H.R. 5541, to provide a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands and to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy, with an amendment (H. Rept. 110–704, Pt. 1);

H.R. 3754, to authorize the Administrator of the Environmental Protection Agency to accept, as part of a settlement, diesel emission reduction Supplemental Environmental Projects (H. Rept. 110–705);

H.R. 1553, to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-

based national childhood cancer database, and promote public awareness of pediatric cancers, with an amendment (H. Rept. 110–706); and

H. Res. 1257, providing for the consideration of the bill (H.R. 6063) to authorize the programs of the National Aeronautics and Space Administration (H. Rept. 110–707).

Page H5213

Speaker: Read a letter from the Speaker wherein she appointed Representative McNulty to act as Speaker Pro Tempore for today.

Page H5113

Recess: The House recessed at 9:10 a.m. and reconvened at 10:00 a.m.

Page H5114

Discharge Petition: Representative Walberg moved to discharge the Committee on Natural Resources, the Committee on Ways and Means, and the Committee on Energy and Commerce from the consideration of H.R. 3089, to secure unrestricted reliable energy for American consumption and transmission (Discharge Petition No. 8).

Committee Resignation: Read a letter from Representative Hooley, wherein she resigned from the Committee on Science and Technology, effective today.

Page H5126

Committee Resignation: Read a letter from Representative Matsui, wherein she resigned from the

Committee on Transportation and Infrastructure, effective today. **Page H5126**

Committee Resignation: Read a letter from Representative Doyle, wherein he resigned from the Committee on Veterans' Affairs, effective today.

Page H5126

Committee Resignation: Read a letter from Representative Marshall, wherein he resigned from the Committee on Financial Services, effective today.

Page H5126

Committee Elections: The House agreed to H. Res. 1256, electing the following Members to serve on certain standing committees of the House of Representatives: Committee on Agriculture: Representative Childers. Committee on Energy and Commerce: Representative Matsui. Committee on Financial Services: Representatives Speier, Cazayoux, and Childers. Committee on Science and Technology: Representative Carson. Committee on Veterans' Affairs: Representative Cazayoux.

Page H5143

Passenger Rail Investment and Improvement Act of 2008—Rule for Consideration: The House agreed to H. Res. 1253, the rule providing for consideration of H.R. 6003, to reauthorize Amtrak, by a yeas-and-nays vote of 227 yeas to 187 nays, Roll No. 392, after agreeing to order the previous question by a yeas-and-nays vote of 227 yeas to 185 nays, Roll No. 391.

Pages H5119–25, H5141–42

Suspensions: The House agreed to suspend the rules and pass the following measures:

Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008: H.R. 6028, amended, to authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, by a $\frac{2}{3}$ yeas-and-nays vote of 311 yeas to 106 nays, Roll No. 393;

Pages H5126–39, H5142–43

Marking the 225th anniversary of the Treaty of Paris of 1783: H. Res. 1063, to mark the 225th anniversary of the Treaty of Paris of 1783, which ended the Revolutionary War with the Kingdom of Great Britain and recognized the independence of the United States of America, and to acknowledge the shared values and close friendship between the peoples and governments of the United States and the United Kingdom of Great Britain and Northern Ireland, by a $\frac{2}{3}$ yeas-and-nays vote of 414 yeas with none voting "nay", Roll No. 394;

Pages H5139–41, H5172–73

Recognizing the 60th anniversary of the Universal Declaration of Human Rights: H. Con. Res.

322, amended, to recognize the 60th anniversary of the Universal Declaration of Human Rights;

Pages H5143–45

Supporting the goals and ideals of the International Year of Sanitation: H. Con. Res. 318, amended, to support the goals and ideals of the International Year of Sanitation, by a $\frac{2}{3}$ yeas-and-nays vote of 411 yeas with none voting "nay" and 1 voting "present", Roll No. 395;

Pages H5145–49, H5173

Honoring Seeds of Peace for its 15th anniversary as an organization promoting understanding, reconciliation, acceptance, coexistence, and peace in the Middle East, South Asia, and other regions of conflict: H. Con. Res. 337, to honor Seeds of Peace for its 15th anniversary as an organization promoting understanding, reconciliation, acceptance, coexistence, and peace in the Middle East, South Asia, and other regions of conflict;

Pages H5149–51

Honoring the sacrifices and contributions made by disabled American veterans: H. Con. Res. 336, to honor the sacrifices and contributions made by disabled American veterans, by a $\frac{2}{3}$ yeas-and-nays vote of 417 yeas with none voting "nay", Roll No. 396;

Pages H5151–54, H5174

Awarding posthumously a Congressional gold medal to Constantino Brumidi: S. 254, to award posthumously a Congressional gold medal to Constantino Brumidi—clearing the measure for the President;

Pages H5157–60

Recognizing the importance of manufactured housing in the United States: H. Res. 1010, to recognize the importance of manufactured housing in the United States;

Pages H5160–62

Edward William Brooke III Congressional Gold Medal Act: S. 682, to award a congressional gold medal to Edward William Brooke III in recognition of his unprecedented and enduring service to our Nation—clearing the measure for the President;

Pages H5162–66

Recognizing the 100 year anniversary of the establishment of St. Mary's Cooperative Credit Association, the "Bank of the People", and the birth of the American credit union: H. Res. 1145, to recognize the 100 year anniversary of the establishment of St. Mary's Cooperative Credit Association, the "Bank of the People", and the birth of the American credit union;

Pages H5166–67

National Infantry Museum and Soldier Center Commemorative Coin Act: H.R. 3229, amended, to require the Secretary of the Treasury to mint coins in commemoration of the legacy of the United States

Army Infantry and the establishment of the National Infantry Museum and Soldier Center; and

Pages H5167–70

Mother's Day Centennial Commemorative Coin

Act: H.R. 2268, amended, to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day.

Pages H5170–72

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Expressing support for the designation of National D-Day Remembrance Day, and recognizing the spirit, courage, and sacrifice of the men and women who fought and won World War II: H. Res. 1235, to express support for the designation of National D-Day Remembrance Day, and to recognize the spirit, courage, and sacrifice of the men and women who fought and won World War II.

Pages H5154–57

Order of Procedure: Agreed by unanimous consent that if the gentleman from Ohio, Representative Kucinich, offers a resolution as a question of the privileges of the House at any time on the legislative day of June 10, 2008 (1) the previous question shall be considered as ordered thereon without intervening motion except one motion to refer; and (2) the Speaker may postpone further proceedings on such a vote on a motion to refer as though under clause 8(a)(1)(A) of rule 20.

Page H5157

Chief Administrative Officer Designations: Read a letter from Daniel P. Beard, Chief Administrative Officer, wherein he designated Ali Qureshi, Deputy Chief Administrative Officer for Operations and Walter Edwards, Deputy Chief Administrative Officer for Customer Solutions to act in his stead in the event of his death, resignation, separation from office or disability until a Chief Administrative Officer is appointed.

Page H5174

Question of Privilege: Representative Kucinich rose to a question of the privileges of the House and offered a resolution, and the Chair directed the Clerk to report the resolution. Further proceedings were postponed.

Pages H5192–H5211

Quorum Calls—Votes: Six yea-and-nay votes developed during the proceedings of today and appear on pages H5141, H5142, H5142–43, H5172–73, H5173, H5174. There were no quorum calls.

Adjournment: The House met at 9:00 a.m. and adjourned at 12:12 a.m.

Committee Meetings

PHTHALATES AND BISPHENOL-A CONSUMER SAFETY

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Safety of Phthalates and Bisphenol-A in Everyday Consumer Products." Testimony was heard from Michael A. Babich, Chemist, Consumer Product Safety Commission; the following officials of the Department of Health and Human Services: John R. Bucher, Associate Director, National Toxicology Programs, National Institute of Environmental Health Sciences, NIH; and Norris Alderson, Associate Commissioner, Science, FDA; L. Earl Gray, Research Biologist, EPA; and public witnesses.

DIGITAL TV TRANSITION

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet, hearing entitled "Status of the DTV Transition: 252 Days and Counting." Testimony was heard from Kevin J. Martin, Chairman, FCC; Bernadette McGuire-Rivera, Associate Administrator, Office of Telecommunications and Information Applications, National Telecommunications and Information Administration, Department of Commerce; Mark L. Goldstein, Director, Physical Infrastructure Issues, GAO; and public witnesses.

INSURANCE INFORMATION ACT OF 2008

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing on H.R. 5840, Insurance Information Act of 2008. Testimony was heard from Jeremiah O. Norton, Deputy Assistant Secretary, Department of the Treasury; Brian P. Kennedy, member, House of Representatives, State of Rhode Island; Michael T. McRaith, Director, Division of Insurance, Department of Financial and Professional Regulation, State of Illinois; and public witnesses.

DIPLOMATIC ASSURANCE AND RENDITION TO TORTURE

Committee on Foreign Affairs: Subcommittee on International Organizations, Human Rights and Oversight held a hearing on Diplomatic Assurances and Rendition to Torture: The Perspective of the State Department's Legal Adviser. Testimony was heard from John B. Bellinger III, Legal Adviser, Department of State.

FAIRNESS IN NURSING HOME ARBITRATION ACT OF 2008

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 6126, Fairness in Nursing Home Arbitration

Act of 2008. Testimony was heard from public witnesses.

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM; COMBATING GANGS

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security approved for full Committee action H.R. 3546, To authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

The Subcommittee also held a hearing on Addressing Gangs: What's Effective? What's Not? Testimony was heard from Kevin O'Connor, Associate Attorney General, Department of Justice; Frank Straub, Commissioner, Department of Public Safety, White Plains, New York; John Buckovich, Police Department, Richmond, Virginia; and public witnesses.

ELECTRONIC EMPLOYMENT VERIFICATION SYSTEMS

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law held a hearing on Electronic Employment Verification Systems: Impact on U.S. Workers. Testimony was heard from Representatives Calvert, Shuler, Sam Johnson of Texas; and Giffords; Jonathan Scharfen, Acting Director, U.S. Citizenship and Immigration Service, Department of Homeland Security; and public witnesses.

OVERSIGHT—COAL COMBUSTION WASTE

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing on How Should the Federal Government Address the Health and Environmental Risks of Coal Combustion Waste? Testimony was heard from Shari Wilson, Secretary of the Environment, State of Maryland; and public witnesses.

INTERNATIONAL WHALING

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife and Oceans held an oversight hearing on the annual International Whaling Commission meeting to be held in Santiago, Chile from June 23–27. Testimony was heard from William T. Hogarth, U.S. Commissioner, International Whaling Commission; and public witnesses.

U.S.-MICRONESIA FREE ASSOCIATION

Committee on Natural Resources: Subcommittee on Insular Affairs held an oversight hearing on the Implementation of the Compact of Free Association Amendments Act of 2003 between the United States and the Federated States of Micronesia. Testimony was heard from Tom Bussanich, Director, Budget

Grants Management Division, Office of Insular Affairs, Department of the Interior; Glyn T. Davies, Principal Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; David B. Gootnick, Director, International Affairs and Trade, GAO; and Fabian Nimea, Director, Office of Statistics, Budget and Economic Management, Official Development Assistance and Compact Management, Federated States of Micronesia.

FEDERAL HIRING OF EX-OFFENDERS

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, Postal Service and the District of Columbia held a hearing entitled "An Examination of Federal Employment Practices/Polices on Hiring Ex-offenders." Testimony was heard from Nancy Kichak, Associate Director, OPM; MG Thomas P. Bostick, USA, U.S. Army Recruiting Command; Brent Orrrell, Acting Assistant Secretary, Employment and Training Administration, Department of Labor; and public witnesses.

NASA AUTHORIZATION ACT OF 2008

Committee on Rules: Granted, by a record vote of 9–4, a structured rule providing for consideration of H.R. 6063, the National Aeronautics and Space Administration Authorization Act of 2008. The rule provides 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of Rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of Rule XXI.

The rule makes in order only those amendments printed in the Rules Committee report. The amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of Rule XXI are waived. The rule provides one motion to recommit with or without instructions. Finally, the rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by

the Speaker. Testimony was heard from Udall of Colorado, Jackson-Lee of Texas, Yarmuth, Hall of Texas, Rohrabacher and Gingrey.

COMMERCIAL TRUCK HYBRID TECHNOLOGY

Committee on Science and Technology: Subcommittee on Energy and Environment held a hearing on Hybrid Technologies for Medium- to Heavy-Duty Commercial Trucks. Testimony was heard from public witnesses.

FINANCING INFRASTRUCTURE INVESTMENTS

Committee on Transportation and Infrastructure: Held a hearing on Financing Infrastructure Investments. Testimony was heard from Representatives DeLauro, Blumenauer, Ellison and Calvert; and public witnesses.

HEALTHCARE DISPARITIES/REFORM

Committee on Ways and Means: Subcommittee on Health held a hearing on Addressing Disparities in Health and Healthcare. Testimony was heard from the following Representatives: Solis; Moran of Kansas, Christensen and Bordallo, and public witnesses.

BRIEFING—CHINA

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on China. The Committee was briefed by departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 11, 2008

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold hearings to examine the impact and policy implications of spyware on consumers and businesses, 3 p.m., SR-253.

Committee on Foreign Relations: to hold hearings to examine sovereign wealth funds, focusing on foreign policy consequences in an era of new money, 9:30 a.m., SD-419.

Committee on the Judiciary: to hold hearings to examine short-change for consumers and short-shrift for Congress, focusing on the Supreme Court's treatment of laws that protect Americans health, safety, jobs, and retirement, 10 a.m., SD-226.

Full Committee, to hold hearings to examine the nominations of Paul G. Gardephe, and Cathy Seibel, both to be a United States District Judge for the Southern District of New York, Kiyo A. Matsumoto, to be United States District Judge for the Eastern District of New York, and Glenn T. Suddaby, to be United States District Judge for the Northern District of New York, 2 p.m., SD-226.

House

Committee on Appropriations, Subcommittee on Homeland Security, to mark up the Homeland Security Appropriations for Fiscal Year 2009, 10 a.m., B-308 Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, to mark up the Interior, Environment, and Related Agencies Appropriations for Fiscal Year 2009, 1 p.m., B-308 Rayburn.

Committee on Education and Labor, hearing on H.R. 2343, Education Begins at Home Act, 10 a.m., 2175 Rayburn.

Committee on Financial Services, hearing on H.R. 6078, GREEN Act of 2008, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on International Organizations, Human Rights, and Oversight, to mark up Subcommittee Report on The Decline in America's Reputation: Why?; followed by a hearing on the Release and Review of the Subcommittee Report: The Decline in America's Reputation: Why? 9:30 a.m., 2172 Rayburn.

Subcommittee on Western Hemisphere, hearing on the New Challenge: China in the Western Hemisphere, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, hearing on the Improving Public Access to Documents Act of 2008, 10 a.m., followed by mark up of the following bills: H.R. 3815, Homeland Security Open Source Information Enhancement Act of 2007; H.R. 4806, Reducing Over-Classification Act of 2007; H.R. 6048, Personnel Reimbursement for Intelligence Cooperation and Enhance of Homeland Security Act, and H.R. 6193, Improving Public Access to Documents Act, 11 a.m., 311 Cannon.

Subcommittee on Management, Investigations, and Oversight, hearing entitled "Ready to Lead? DHS and the Next Major Catastrophe," 2 p.m., 311 Cannon.

Committee on the Judiciary, to mark up the following bills: H.R. 4044, National Guard and Reservist Debt Relief Act of 2008; H.R. 2352, School Safety Enhancements Act of 2007; H.R. 1783, Elder Justice Act; H.R. 5352, Elder Abuse Victims Act of 2008; and H.R. 5057, Debbie Smith Reauthorization Act of 2008, 10:15 a.m., 2141 Rayburn.

Subcommittee on Courts, the Internet and Intellectual Property, hearing on H.R. 4789, Performance Rights Act, 2 p.m., 2141 Rayburn.

Committee on Natural Resources, to mark-up the following bills: H.R. 3981, Preserve America and Save America's Treasures Act; H.R. 5451, Coastal Zone Reauthorization Act of 2008; H.R. 4199, To amend the Dayton Aviation Heritage Preservation Act of 1992 to add sites to the Dayton Aviation Heritage National Historical Park; H.R. 2964, Captive Primate Safety Act; H.R. 5741, Shark Conservation Act of 2008; H.R. 1423, Dorothy Buell Memorial Visitor Center Lease Act; H.R. 3702, Montana Cemetery Act of 2007; H.R. 5710, Eastern New Mexico Rural Water System Authorization Act; and H.R. 5511, Leadville Mine Drainage Tunnel Remediation Act of 2008, 11 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, and the Subcommittee on Information Policy, Census, and National Archives, joint hearing on 2010 Census: Assessing the Census Bureau's Progress, 10 a.m., 2154 Rayburn.

Committee on Small Business, Subcommittee on Rural and Urban Entrepreneurship, hearing on Second Generation Biofuels: The New Frontier for Small Businesses, 10 a.m., 1539 Longworth.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on Air Traffic Control Facility Staffing, 2 p.m., 2167 Rayburn.

Subcommittee on Coast Guard and Maritime Transportation, hearing on Rebuilding Vessels Under the Jones Act, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, to markup the following bills: H.R. 2818, To amend title 38, United States Code,

to provide for the establishment of Epilepsy Centers of Excellence in the Veterans Health Administration of the Department of Veterans Affairs; and H.R. 2192, To amend title 38, United States Code, to establish an Ombudsman within the Department of Veterans Affairs; followed by a hearing on Implementing the Wounded Warrior Provisions of the National Defense Authorization Act for Fiscal Year 2008, 10 a.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, briefing on Mexican Border Violence, 12 p.m., H-405 Capitol.

Select Committee on Energy Independence and Global Warming, hearing entitled "The Future of Oil," 9:30 p.m., 1300 Longworth.

Next Meeting of the SENATE

9:30 a.m., Wednesday, June 11

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, June 11

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of the motion to proceed to consideration of S. 3044, Consumer-First Energy Act.

House Chamber

Program for Wednesday: To be announced.

Extensions of Remarks, as inserted in this issue

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